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The Martyred Klansman

THE MARTYR

KLANSMAN THOMAS RANKIN ABBOTT
Who Died for American Principles

The Martyred Klansman

In which events leading up to the shooting to death of Klansman Thomas Rankin Abbott, on August 25, 1923, are related, together with a record of the Court Proceedings that followed.

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INTRODUCTION

This is the story of the murder of a native-born American in his native land, at the hands of a ruthless mob in Carnegie, Pennsylvania, when parading Knights of the Ku Klux Klan were attacked Saturday night, August 25th, 1923, as they moved over the streets of that town, in accordance with the rights granted them by the Constitution of these United States.

It tells of the dastardly deeds of an enemy in trampling the Stars and Stripes of our country in the dust of the streets. It tells of the unwarranted attempts to injure and maim native-born Americans, peaceably following the flag of our country and the Cross of Christ in a crusade for America. It tells of the reserved character of the parading Klansmen as shown by their reluctance to commit violence, their earnest endeavor to keep within the law, even when OLD GLORY was dragged to the ground, and when Americanism was suffering an open onslaught by its bitterest enemy within the confines of our country.

We tell, furthermore, of the release of all the men that were held in connection with the fatal affray, when given a hearing before Alderman George Anderson, Thursday, September 18, 1923. Again, we present the mass of testimony given during the inquest held by the Coroner of Allegheny County, W. J. McGregor, September 28 and 29, 1923. And finally, we reproduce the full testimony given during preliminary hearings before Justice of the Peace W. H. Prosser, of near Carnegie, when Patrick McDermott (who had been named in an information sworn to by Mrs. Emma Abbott, widow of the slain Klansman) was held for court on a charge of murder, and when John Conley, Burgess of Carnegie, was held for court charged with inciting riot.

Our only aim is that one hundred per cent. Protestants may know of the passing of one of their unselfish brothers and that the evils attending his slaying may truthfully be brought to light.

If those who receive its simple message may arrive at the same conclusion, and make the same resolve, America for Americans, as did the sorrow-stricken Klansmen who gathered around the grave of the fallen Soldier of Christ, Tuesday, August 28th, its mission will not have been in vain.

—The Editors.

CHAPTER I

THE STORY

Knights of the Ku Klux Klan of Western Pennsylvania, in the number of 12,000, gathered on a hillside overlooking Carnegie, Pennsylvania, the fatal night of August 25, 1923, to receive nearly 1,000 candidates into the membership of the Invisible Empire.

The naturalization was to take the form of a joyous reunion. Augmented by the presence of Dr. H. W. Evans, Imperial Wizard of the Knights of the Ku Klux Klan, from Atlanta, Georgia, the gathering gave promise of being one of the most constructive meetings of workers for pure Americanism in the state.

Shortly after darkness had enveloped the hillside, the white-robed men formed in line, marched around the outskirts of the large field in which the initiation was to be held, and, under the warm glow of scores of torch lights, and the flying colors of the nation, began the naturalization that made nearly 1,000 native-born Americans citizens of the Invisible Empire. Overhead crackled the Fiery Cross as it burned, and displayed to the Klansmen and the spectators for miles around, the symbol of the organization. A band played "My Country, 'Tis of Thee."

While the Klansmen are initiating the candidates into their brotherhood, our story must necessarily change to the town of 25,000 souls down in the valley, and what was going on there.

Beginning at early evening, with the passage of scores of automobiles bearing the Klansmen through the borough, townspeople gathered in various-sized crowds to discuss the assemblage "on the hill." Restaurants were filled with wives of the visiting Klansmen. Protestants talked with Protestants; Catholics talked with Catholics.

As darkness descended, the streets and byways became more congested. Threats and predictions of what was to ensue were made in lowered voices. Hip pockets bulged with concealed weapons. Foch's famous declaration, "They shall not pass," was to be again the battle cry of a band of men. But Americanism was to suffer from it. It had been resolved that Americanism should not pass that night.

The initiation on the hillside completed, a conference was held between officers of the Klan. The decision to exercise their constitutional guarantee of peaceable assembly and free movement over the roads of the nation, was made. The decision was not made to flaunt their beliefs and determinations before the face of the hostile subjects in the little town below them. Thought of an attack upon the part of the townspeople was farthest from the Klan officers' minds.

Then the procession formed. Klansmen were left on the field to guard the hundreds of automobiles and other property of the organization's members. Five thousand strong, the Klansmen moved down the hillside in orderly fashion, singing "My Country, 'Tis of Thee" and other American anthems. They were merely exercising their rights. A band played stirring music. It was a parade of native-born Americans on native soil.

Nearing the town, the long line of white-robed Klansmen swung into a leading street for some distance. Mingled jeers and a small offering of encouragement met their advance. They were in an enemy country. Men cursed them. Women jeered them. Children in some cases "boohed" them. But no attempt at violence, as yet. The Klansmen retained their display of character and bore the brunt of the ridicule. They were native-born Americans. Other men had been persecuted in like manner for just beliefs! Other men had sacrificed for a cause that was just! This band of Klansmen was sacrificing, too.

Approaching a bridge that divides Carnegie from Glendale, the parading Klansmen saw ahead of them indications of trouble. Leading the procession was an automobile bedecked at front with the Fiery Cross of the order, surmounted by three "K's." A touring car with four male passengers was driven across the street before the bridge directly in the line of march. Closer and closer came the marchers. The touring car suddenly swerved into the line. The purpose of the driver and his henchmen were thwarted in one sense, however, and no Klansmen were maimed. But, the automobile bearing the Fiery Cross and the three "K's" was forced to stop, and from behind several automobiles and trucks that had been placed across the approach to the bridge, rushed a mob of hostile persons.

The Klan automobile and the head of the parade were surrounded. Into the radiator crashed a battering ram. Both headlights were broken to bits and the windshield glass was showered in splinters over the occupants. Down came the symbolic Fiery Cross and the letters of the Klan. Justice had begun to hide her face.

With this assault the affray had begun. The Klansmen held themselves in check until all semblance of toleration would have placed them in the light of cowardice among their fellow native-born Americans. They braved the storm of fence-palings, rocks, bricks and other maiming missiles that showered about them. They pushed forward, stopping only momentarily to gather in their arms the fallen form a maimed Klansman. Theirs was not the intention to retaliate nor seek vengeance for the dastardly attack upon their constitutional rights. They were only moving forward in the cause of a future guarantee of the rights laid down in the precious blood of native-born Americans.

Some distance from the scene of the first attack they were met with a second and more vicious assault. The enemy had carefully thrown a bulwark of stones and paving blocks across the line of march. From this were thrown the death-dealing objects that injured more than one Klansman. From up on a railroad site to one side of the street came huge lumps of coal and ballast. The emissaries of un-Americanism were there in force.

The scene is changed to a point nearby. The Klansmen had repelled the cowardly attack of the perverted agents from behind the miniature fortress of stones. Heavy pieces of lumber began showering down from house and building tops. Several Klansmen staggered, but moved on. Out above the din of the affray cracked the reports of a volley of shots. The murder had begun. The Stars and Stripes flying at the head of the procession waved slowly in a light breeze. Native-born Americans were being fired on by an enemy in their own land!

The Klansmen continue to move forward slowly. A number of shots crack above the din of conflict.

There was a tenseness when the reports had died away. A native-born American fell to the street, shot through the right temple.

He was Klansman Thomas Rankin Abbott, aged 25, of Atlasburg, Washington County, Pennsylvania. The trump card was played.

A group of stunned Klansmen carried their comrade into a nearby physician's office. But God was taking the dying Klansman home to his eternal rest. Life ebbed fast. A few short minutes after the flash of the shots, Klansman Abbott had paid his supreme sacrifice for a righteous cause.

Out into the street again stepped the little group of sorrow stricken Klansmen. Theirs was the resolve that the sacrifice made by their slain brother should not be in vain, and that his blood should serve as an everlasting memory to insure the cause of America for native-born Americans, as opposed to foreign meddling.

But, with the thought uppermost in their minds of the foul deed which had been perpetrated through foul instigation, that little band of Klansmen did not lose sight of the fact that their every action was to be governed by their devout respect for the laws of the nation and community.

The rest of our story is not of a terrible massacre of the perverted agents and their henchmen by the Klansmen; for such was entirely possible. It deals with the greater realization on the part of all the Klansmen that the battle for justice would never be won through shots fired from darkened places.

The parading Klansmen moved forward some distance to a point where a number of injured comrades lay in a nearby establishment. Here they paused, while the mob of denizens of Carnegie's underworld stayed at a safe distance, spasmodically hurling missiles in their direction and taunting them with blasphemous remarks. The Stars and Stripes was still at the head of the procession. But here, again, one more disgraceful card was played. The mob was encountered in the next move, and the Red, White and Blue was the center of the affray.

Now it is being trampled under foot by the partially drunken mob. Now it is borne aloft again as the leading Klansmen make a more concerted effort. Now it is rumpled and draggled in the filth of the street as the mob vents its degraded spleen. A shot rings out again. Through the folds of the emblem of the country that men and, yes, women, have died for, a bullet slashed its way. Away from the leading Klansmen sped a group of the despicable attackers with the confiscated flag. It is theirs to defile as they please.

And still the Klansmen did not violate the law. They did not seek vengeance in turning to mob violence and destroy property as had their attackers.

A group of deputy sheriffs asked that the Klansmen return to the hillside and go to their homes. Not a protest was made, and the native-born Americans, true to their trust given them by Washington and Lincoln, left the town, boarded their automobiles at the initiation grounds on the hillside and departed for their homes.

* * * * * *

Our story now turns to the little home in Atlasburg, Pennsylvania, some 35 miles from Pittsburgh. It is Tuesday August 28th. Here are gathered the stricken relatives of the slain Klansman. The widow has partially collapsed since word of her husband's murder was first brought her. The two young children have not fully grasped the fact that their father was taken from them by the hand of a fanatic. The aged mother, bent with sorrow, can only sit and wonder—and pray. Two brothers, native-born Americans, clasp hands and make a vow. But it is not a vow of vengeance. Theirs is the greater duty.

The Klansmen are arriving for the funeral. Little groups of residents of the peaceful community gather on the outside.

The services start. The minister, in full Klan regalia, is telling the mourning family and Klansmen of the times in Biblical history when men have given their lives for a true and just cause. He is telling them of the Jesus Christ who submitted to being hung on the Cross so that all might be saved. There is no malice in his address. The only sound that breaks the tenseness outside the cozy little home is the puttering of a steam exhaust from a power plant some distance away. There is no conversation. The Klansmen are talking with their God.

The gray casket is borne to the hearse by six Klansmen through a lane of white-robed figures. Their visors are raised. Over the last bed of the slain man is draped the flag of the country for which he died. Forming the arch through which the casket passes, together with the Fiery Cross of the Klan, are the colors under which he fought and labored as a sailor in the United States Navy, during the Great World War.

The cortege moves. From behind a clump of clouds that has hidden it all day, appears the sun, bathing the floral flag on the leading automobile in a light almost holy. As the fifteen miles to the final resting-place in Robinson Run cemetery are traversed, farmers working in the fields pause in their labors as the mile-long procession of automobiles passes. They bare their heads. In the small hamlets, groups of people stand at the curbstone with

bowed heads. A native-born American is being taken back to the soil for which other lives had been given. It is his soil!

The procession moves up the hill to the cemetery. A flag flies at half mast on the cemetery pole. A long line of white-robed figures forms from the hearse to the open grave. Through this again passes the casket bearing the remains of a loyal man, led by Klansmen carrying the country's flag and the Fiery Cross of the order. The casket is resting on supports above the grave. A Klan minister tells the mourners that Christ's sacrifice was not in vain. He declares to them that Klansman Abbott has given his all for the same purpose. He explains that the causes and results of the two sacrifices are similar. When he has concluded, the Klansmen, on bended knee, are led in prayer. It is the prayer of a stricken people asking help of the Almighty for a true cause.

The native-born American is being lowered to his final resting place. Tears are in the eyes of the hundreds of strong men around the grave. Then is given the parting adieu to their dead comrade.

An hour later the graveyard is silent. Up over the hill their silent way fly two large birds. In another section of the country they might have been eagles. The sun has gone below the horizon, partially, and is casting a warm glow over the grave of the American, and the flag of the nation protecting it. Not a person is seen in the graveyard limits. All is still.

The martyr has begun his long rest.

CHAPTER II

THE FIRST HEARING

After considerable delay and postponement, due in some measure to a reluctancy on the part of Carnegie residents to relate what they knew of the fatal attack upon the Klansmen, eleven persons charged in various instances with rioting and inciting riot, were given a hearing before Alderman George Anderson, of Wylie and Fifth avenues, Pittsburgh, Pa., Thursday afternoon, September 20, 1923.

The men charged with rioting were: Joseph Joyce, William K. Flaherty and Lawrence Kemmel. Those charged with inciting riot were: Patrick McDermott, William Leacock, Michael Melley, Raymond McKenna, James McIntyre, Anthony Scrowe, Steve Burdis and "Butch" O'Donnelly.

The defendants were all discharged.

THE CORONER'S INQUEST

The next legal proceeding came with the inquest into the death of Klansman Abbott. This was conducted by William J. McGregor, Coroner of Allegheny County, Pennsylvania, Friday and Saturday, September 28 and 29, 1923.

First Assistant District Attorney Harry A. Estep represented the Commonwealth of Pennsylvania during the inquest Friday, while Assistant District Attorney Benjamin Lencher was in that capacity Saturday. Samuel H. Gardner is District Attorney of Allegheny County.

Attorney John S. Robb, of the Berger Building, Pittsburgh, Pa., represented the residents of Carnegie during the inquest.

The coroner's jury, composed of R. A. Montgomery, T. Vaughan, J. D. Ackley, George Krauss, Henry McEwan and Richard A. Brickley, returned a decision shortly after noon Saturday, that Abbott had come to his death "from a gun in the hands of person or persons unknown to the jury" and that it "recommends that the said person or persons be apprehended and held to await the action of the Grand Jury upon a charge of murder."

The complete testimony given during the coroner's inquest follows:

JOSEPH H. DYE, having been duly sworn, testified as follows: Examination by the Coroner

Q. What is your name, please?

A. Joseph H. Dye.

Q. What is your address?

A. 7404 Idlewild Street, Pittsburgh, Pennsylvania.

Q. What is your occupation?

A. County Detective.

Q. Mr. Dye, will you tell us what you know from your investigation of the circumstances leading up to the death of Thomas R. Abbott, of Atlasburg, Pennsylvania, who was shot on Sunday, August 26, 1923, at about 12:10 A. M. near the corner of Third and Maine Streets, Carnegie, Pennsylvania, and was taken to the office of Dr. F. B. Jones, 432 Third Street, Carnegie, Pennsylvania, where he died on Sunday, August 26, 1923, at 12:15 A. M.?

A. Well, I do not know anything, Coroner, only what other people told me; that is all I know.

Q. You were detailed on this particular case, were you not, for the purpose of conducting an investigation?

A. I was, yes, sir. I got the call at my home at ten minutes past twelve upon the morning of the 26th. I came down to the office with the other detectives and went to the scene. We made some investigation that night and arrested four men altogether.

Q. Who did you arrest at that time?
A. I only assisted in arresting Mr. McDermott.
Q. And where was this arrest made?
A. In his office in Carnegie; I do not know the name of the street in Carnegie.
Q. And under what condition did you make this arrest?
A. I did it upon the orders of my superior officer.
Q. Did you simply have orders to arrest Mr. McDermott, or did you have any detailed information regarding leading up to it?
A. I did not have any detailed information at all. We then continued the investigation throughout——
Q. What were the conditions, Mr. Dye, under which the arrest of Mr. McDermott was made?
A. With Mr. Burke, Mr. McMillen and Mr. Cochran, we went to the office of Mr. McDermott; I did not know where it was at that time; I was taken there by Mr. McMillen and we found Mr. McDermott, and I believe, a Mr. Haney, and I do not know the other three men that were in the office. Mr. McMillen did the talking and told Mr. McDermott that he was wanted down at the police station, and that is about all I know of the arrest of Mr. McDermott.
Q. Were any statements made by Mr. McDermott at that time or by those who were with him?
A. No, sir.
Q. What was the appearance of Mr. McDermott at the time that you made the arrest?
A. He seemed just as an ordinary man; he was not excited at all.
Q. Were there any injuries on his person?
A. None that I could see.
Q. Did you look for any?
A. Not particularly, no.
Q. But you—there were none on casual observation that you could see?
A. No, sir.
Q. Proceed.
A. Then with Mr. McMillen—Detective McMillen—Detectives Burke and Caughey and Geisler, we made further investigation, and I think interviewed I suppose between seventy-five and a hundred different people; got verbal statements from them, and they gave us names of different people that participated in the so-called riot. We have no identification so far.
Q. In proceeding with your investigation, at any time did you obtain names or interview individuals who either were claimed to have seen the man who shot Mr. Abbott, or interviewed such individuals?
A. Yes, sir. We interviewed two men that said they saw the man that did the shooting.
Q. When did you interview these men, Mr. Dye?
A. One of them on Thursday, the 29th, I believe it was.
Q. That would be the 30th, would it not?
A. The 30th, yes; and the next man on the following day, the 31st.
Q. How did you obtain these names, Mr. Dye?
A. One of the names was given to me in your office.
Q. How did you obtain the other name?
A. I was given that by the man that made the statement to me in your office.
Q. Who was this man in our office that made this statement?
A. B. F. Hellings, 1036 Wallace Avenue, Wilkinsburg.
Q. That was on August 30th?
A. Yes, sir.
Q. Did you have up until the 30th day of August any men detained in connection with this shooting?
A. Yes, sir.
Q. Where were they detained?
A. They were detained in the County Jail.
Q. Did the fact that there were some individuals in the Allegheny County Jail as being connected with the shooting of Thomas R. Abbott receive wide publicity at that time?
A. They did, yes, sir.

Q. Did anyone voluntarily present themselves to the office which is recognized as the office to investigate such conditions, and voluntarily present themselves to identify such individuals?

A. No, sir.

Q. And it was not until the 30th day of August that you obtained any information whatever as to the possible identification of these individuals?

A. Yes, sir.

Q. Had you made honest efforts previous to that time to obtain such information, or seek out such individuals?

A. I had, yes, sir; it was also given newspaper publicity throughout the city and county and state.

Q. When you did interview these individuals who stated that they could identify the person or persons who did the shooting, did they state to you that they knew that anyone was detained?

A. Yes, sir.

Q. Did they state to you why they did not come forth and make this identification?

A. They gave no reason at all.

Q. At any time since you have started your investigation, has there been any identification of the individual or individuals who shot Thomas R. Abbott?

A. The only identifications that have been made up to date was in the Alderman's office at the hearing last week.

Q. On what day was that?

A. The 20th, I think; the 20th of September; last Thursday.

Q. Almost a month following the date of this shooting?

A. Yes, sir.

Q. In your investigation did you determine just what led up to the shooting of Thomas R. Abbott?

A. I did, yes, sir.

Q. Will you state to the jury what you found?

A. Our investigation showed that there was a meeting of the Klan—known as the Ku Klux Klan—and I think they call it Scott Township, near Carnegie, on a farm there, and around the neighborhood of eleven o'clock, there was a parade started from that hill, and they went down the Washington Road, I think they call it, into Glendale, into Carothers Avenue, and they came down Carothers Avenue, and they came down Carothers Avenue to the bridge dividing Glendale and Carnegie, crossing the Chartiers Creek. At the bridge the Klan marchers were stopped by some person.

Q. Did you determine who these persons were that stopped the procession?

A. Well, the names we had was a man by the name of William Lacock, a man by the name of Raymond McKenna, James McIntyre, James McDermott, "Sully" Hays, and others.

Q. How did you obtain these names, Mr. Dye?

A. Well, by a thorough investigation; we would find one person that was in the crowd that had seen that boy or a man do something, and they would refer us to another one.

Q. In these references made by one individual or another, did any of these people at any time acknowledge that they were participants in this riot?

A. No, sir, they did not; they were only by-standers.

Q. Have you the names, by any chance, of these by-standers?

A. Well, I do have a number of them: Mrs. Katherine Seman, 124 Washington Street, and Mr. George R. Hulton, of Heidelburg, and Ellsworth McCabe, of Heidelburg; Mrs. Frey, of Middle Street, Russell Hall, of Third Avenue, W. F. Eberly, of Wilcox Street, Mrs. Rose Eckleson and son, of 137 Carothers Avenue, James Pace, of 410 Diamond Street, and Mrs. Hilton, of 110 Boroview Street. I do not have a list of all of them. After going all over Carnegie, Heidelburg, Sharpsburg and Aspinwall and Wilkinsburg, we have names of people all over there.

Q. In interviewing these various individuals, had any of them participated in the occasion?

A. They claim not. We also interviewed a man by the name of McClain, Third Avenue; Mrs. Johnson, on Third Avenue, Mrs. Barrett, on Third Avenue; Mrs. McMichael, on Third Street. Mr. Albright was interviewed, but I did not interview him, and Mr. Minor, who testified in the Alderman's office.

Q. In your investigation did you determine just what occurred just at the time immediately preceding what would be referred to as the riot?

A. Well, the investigation showed that the marchers or parade came down to the bridge and was stopped by these people. William Lacock was supposed to drive up there in an automobile with four or five boys on and drive the car crosswise in the street and stop the parade. There were other cars there that followed him very closely, and then in a short time the Deputy Sheriff came on the scene, with the Burgess, and asked the parade and the marchers not to go any farther; told them they could not march; some of them immediately turned and started back, and then some of the other marchers crowded through and went on down as far as Main Street, but there was continuous throwing of missiles and clubs and palings and bricks all along Third Avenue to Third Street, and when they got to Third Street there was shooting. Some said there was shooting from the windows and some said there was shooting from the street. Two or three people that I interviewed said that there was some shooting from the center of the street—that four shots appeared to come from a Klansman that shot straight in the air; immediately after those four shots were fired the marchers stopped and stood at attention.

Q. Were you able to obtain a description of this car that first obstructed the line of march?

A. It was a Ford car, five passenger, with no top.

Q. Were you able to obtain the name of the owner of this car?

A. No sir, I do not think I have that; it is claimed to be owned by William Lacock; but I do not know whether it is or not; I never saw the car.

Cross Examination by Mr. Estep

Q. The car that you speak of, the Ford, was it a part of the parade, Mr. Dye, or was it a car that came up in front of the parade?

A. No, it came from Main Street, towards the bridge; towards Glendale.

Q. At the Squire's Office when the identifications were made by the various people that were called, were you present when these identifications were made?

A. Yes, sir.

Q. Were they positive identifications of any of the individuals?

A. One man made a positive identification.

Q. And were all the people that you had interviewed, whose names you have given, were they present at the Squire's office at the hearing there?

Q. Not all of them, no; there were twenty-two of them present there, I think.

ROBERT L. McMILLEN, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Robert L. McMillen.

Q. What is your address?

A. 656 Craig Avenue, Bridgeville, Pennsylvania.

Q. What is your occupation?

A. County Detective.

Q. Mr. McMillen, will you tell us what you know from your investigation of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, I investigated this in company with detectives Dye, Burke and Caughey, and I was also there the night of the riot. I saw the beginning of it and I saw the finish of it, but I could not tell you very much about it, because there were too many people there, because the streets and sidewalks from building to building were all filled.

Q. Where did this riot occur?

A. On Third Street; it started at the bridge going into Carnegie from Glendale.

Q. Is this bridge the only means of entering Carnegie from Glendale?

A. Well, on that end it is, but you can enter on the lower end on the Washington side.

Q. And what was the occasion of this particular gathering of peoples at this particular point?

A. Well, we learned that there was an initiation of the Klan up on the hill, and after that initiation the parade came up Washington Avenue Extension and around Carothers Avenue to Glendale, and down into Carnegie. It would be after 11:30 at night; between 11:30 and twelve o'clock. We were down street at the time, and the word came that the parade was coming down Carothers Avenue, and the Mayor said it would be stopped on the bridge, and later word came that it was stopped on the bridge, and Chief of Police, Keisling and Detective Geisler and myself walked up, and it was stopped there, and there were a number of machines going west toward Glendale at the entrance of the bridge on the Carnegie side, and the procession was on the bridge and they were stopped when we arrived there, and the street was packed at the time with men, women and children, and it would be utterly impossible to identify people in that crowd, even if I knew them. Just then the Deputy Sheriff arrived there with a car of men and notified them not to try to come through, and I was at that time wedged over against the building at the side. It was hard work to keep on your feet with the shoving and pushing and hooting and hollering of the bystanders. A big tall man came up to me and said, "Mr. McMillen, give me a permit to go through." and I said, "I have no authority to give you a permit." I did not know who he was, and he said, "Well, we will go through here in spite of the devil," and turned and walked away, and I said, "Be careful now, I am afraid you are going to have trouble." A few minutes after that there were several machines—there were some cars that we know were not blocking the bridge—one particularly with Frank Flynn, formerly of Carnegie, whom I talked to in a sedan car myself. I stood on the running board and talked to him going to Bridgeville. He just accidentally drove into it, and could not back again or turn, and at the same time this boy with the Ford car drove along there, without a top on it and four or five boys on it and as I could see it, just drove right up in there thoughtlessly and could not turn around or back out, and finally he did back a little bit, and "Ike" Irving came along with a big car and rams this Ford car and pushes him up Third Avenue about two lengths of the Ford car, which had been stopped, and the boy was then out of the crowd with his car. I, myself, did not see the boy doing anything, myself. There was a bunch of fellows on the car that was grabbing at the cross and grabbing at the flag, but who they were, I do not know.

Q. Earlier in the day, had you heard of any possible disturbance at this point or in Carnegie, at any time?

A. At four o'clock in the afternoon—I received a telephone message in Carnegie that eight or ten fellows had been arrested on the street with revolvers at their sides, doing police duty, and were locked up in the Carnegie Police Station.

Q. Did you see these men?

A. I did.

Q. Can you testify to the fact that they had arms on them?

A. They did have; some had forty-five automatics down to thirty-two.

Q. Is there any ordinance in Carnegie governing the carrying of side arms?

A. I could not answer that; I do not know.

Q. Is it lawful for anyone, unless so designated by the proper authorities, to carry side arms?

A. As I understand the law, it is not permissible; I understand it is unlawful.

Q. You are familiar with Carnegie and you were there on this day—was there any reason for anyone to go about the streets of Carnegie carrying side arms?

A. Not that I could see; everything was orderly and quiet; everything was as orderly as it is here now, up to the other end of Carnegie until the parade entered at the other end of the bridge—the upper end of the bridge. I was there from 7:30 until 5:00 o'clock the next morning.

Q. Who were these individuals who had side arms in the streets of Carnegie?

A. I do not have the names, but they were locked up in the Carnegie Police Station. Christ Keisling would be able to testify as to their names.

Q. Have you any knowledge of any efforts that were made on the parts of any proper officials to avoid this possible disturbance?

A. Well, I talked to different officials in the borough and they had not been interviewed or consulted in regard to the parade in any way, they told me.

Q. Did you hear any shooting at the time of this disturbance?

A. Oh, yes; yes, sir; there were a number of shots fired; I could not say how many, but I would say about a dozen or fifteen.

Q. A dozen or fifteen?

A. Yes, sir.

Q. Were any of the machines that were present just at the time that this shooting was going on on the inside of the procession that had their cut outs open?

A. One: "Ike" Irving.

Q. Did that add to the number of shots that were fired?

A. Well, not in my way of seeing it; it made quite a commotion though; there was so much noise it would be almost impossible to tell how many shots were fired.

Q. Well, would the noise of this exhaust, unless one would know what it was, make it appear that the shooting was more intense?

A. It would to a certain extent, yes, and then they were also cannonading on the hill—bombs on the hill—which made it hard to say.

Q. Was this cannonading and bombing going on at the hill at the time the riot was taking place?

A. Yes, sir, going on as late as two o'clock Sunday morning.

Q. Just where was it that Thomas R. Abbott was shot?

A. He was shot about half way between West Main Street and Third Avenue on Third Street.

Q. Is that the street coming from the bridge?

A. Coming from the bridge, in the last block before you hit West Main Street.

Q. And coming from the bridge towards West Main Street, on which side of the street was it that he was shot?

A. It was a little nearer the right side than the left; a little nearer the right side coming from the bridge to West Main Street.

Q. Was he shot in the street or on the sidewalk?

A. No, on the street.

Q. How far from the curb?

A. I would say about ten feet.

Q. When did you first learn that this man was shot?

A. I was at the corner of Third Street and West Main Street, and four fellows were being carried into a butcher shop there; two of them had been shot and two had been hit on the head, and I rushed in there to get their names, if possible, and to see how badly they were injured, and immediately after that there was a shooting and while in there someone sand a man had been taken into Dr. Jones' office and was going to die; two of the men were in such agony that they could not talk and the other two refused to say. I then immediately ran over to Dr. Jones' office to see the man that was taken in there and the man was already dead.

Q. How long had you been in Dr. Jones' office at this time?

A. Just a few minutes; when I found he was dead and I could not learn his name, I went out on the street again.

Q. While you were in there did any one make any statement as to who shot this man?

A. Not in my presence, no, sir.

Q. Did you make it known that you were a County Detective?

A. Yes, sir, to Dr. Jones; I am acquainted with Dr. Jones.

Q. And he knew you to be a County Detective?

A. Yes, sir.

Q. In your investigation had you been able to find any of these men that were wounded?

A. I have not; not even their names; we have interviewed all told, between seventy-five and a hundred people.

DR. F. B. JONES, JR., having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. F. B. Jones, Jr.

Q. What is your address?
A. 300 Third Street, Carnegie, Pennsylvania.

Q. Dr. Jones, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. I only know that Mr. Abbott was carried to my office following his injury.

Q. By whom—do you know by whom he was carried to your office?
A. It seemed to be men in citizens' attire and men in white robes.

Q. Did any of these men give you their names?
A. No, sir.

Q. What was Mr. Abbott's condition when he was brought into your office?
A. He was in a comatose stage, just merely breathing.
Q. And how long was he in your office before he died?
A. He died, I would say, in about three to five minutes from the time he was brought in.
Q. Did you see County Detective McMillen in your office at the time?
A. No, I do not remember that evening of seeing him in the office. While I spoke to the Sheriff and Deputy Sheriff, but there were so many injured to be attended to, I do not remember seeing Detective McMillen.
Q. You did recognize some men that had the power of police?
A. Not while Mr. Abbott lived; that was later on in the evening, or on Sunday morning.
Q. Well, at the time they were in your office?
A. No, I could not say that I did just at that time.
Q. Were any statements made to you at the time he was brought into your office?
A. No, not at that time. As soon as Mr. Abbott died, I called the Coroner's office and talked to a deputy and asked him what he wished done with the body, and he said he would be out in a very few minutes, and he arrived in about thirty minutes and asked me to get the name of any witness that might have seen the shooting, and I asked if anyone had seen the shooting, and I told them not to tell me who the man was, just to state if they had been a witness to the shooting, that it was the duty of every physician to get every detail following the murder, and one man spoke up and said he saw who did the shooting, and I said, "I do not care to know his name, but I want your name as a witness to the Coroner's office."
Q. What was this man's name?
A. He gave his name as Harry R. Albright, 407 Crick Street, Carnegie.
Q. And how long after the shooting was this?
A. This was after Mr. Abbott had ceased to breathe and I had gone to the telephone to call the Deputy Coroner and had received instructions to get witnesses. That was before the body had been removed by the Deputy Coroner. That was from the interval between the time I called the office until the Deputy Coroner arrived, that he made this statement.
Q. Do you remember what this statement was?
A. He just stated that he saw the man that did the shooting, and I said, "Do not mention any names here. It will be plenty of time to tell that when the Coroner's Inquest is held."
Q. What did he do then?
A. I said to him, "Can you wait and talk to the Deputy Coroner?" And he said, "I can not do it, I have other duties, and I will leave my name and address, and anyone that wants to interview me can reach me at this address."
Q. Did he report to the police department, do you know?
A. I do not know that.
Q. Were any others there at the time that made any statement regarding the shooting?
A. No, sir.

Q. This man that made the statement regarding that he saw the man shoot at Thomas R. Abbott, did he help to take the body of Thomas R. Abbott into your office, do you know?

A. I think not.

Q. Do you know when he did come into your office?

A. I think from the time that I telephoned; while I was telephoning I think he made his appearance; at first there were quite a number crowding around the table and I did not notice this particular man until I had turned from the telephone after calling the Coroner's office.

Q. Did you dress any other individual in your office on that evening?

A. Yes, sir.

Q. How many?

A. I treated one fellow for hysteria, and dressed another fellow for a laceration of the chin and a laceration of the right shoulder, and several men who seemed to be in quite an acute nervous condition.

Q. Did you obtain any of their names?

A. No, sir.

Q. Did any of them return to your office?

A. Never saw them after that.

HARRY ALBRIGHT, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Harry Albright.

Q. What is your address?

A. 407 Crick Street, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Railroader.

Q. How long have you lived in Carnegie?

A. Eighteen years.

Q. Mr. Albright, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. On the morning of August 26th I was walking down Third Street, and I went to go by a little alley way that leads out on to Third Street and there was three shots fired out of this alley way, and I looked into the alley way and the man that fired the shot was "Paddy" McDermott. I said to him, "You cowardly —, shooting out of an alley way that way," and there was a wooden gate on that alley way and he shoved it shut, and as he did I pushed it open again, and as I did he shot again and this man Abbott fell dead.

Q. Did you help to carry him into the Doctor's office?

A. No, sir.

Q. What did you do?

A. I walked down to the corner there and when I got down there I met the Chief of Police. Well, in the meantime I went into Dr. Jones' office and there was another man brought down and I helped to carry him into the office, and while I was in there Dr. Jones said, "Does anyone in the crowd know who shot this man?" And I said, "Yes. Paddy McDermott shot the man." And he said, "All right, give me your name and address," and I gave him my name and address, and that is all he asked me. They wanted to get this man up to the field where the Klan had met.

Q. Which man?

A. I do not know the man's name; the man that I helped to bring into the doctor's office. I went down to my house and got my machine and took the man up to the man's home, and I came down and put the machine away again, and I met Chief of Police Keisling, and I told him that I had seen "Paddy" McDermott doing the shooting, and he said, "Where will I find you in a little while if I want you?" And I said, "You will find me right here" and about fifteen minutes later he came back and said, "Chief Braun wants you to make that statement to him," and I repeated my statement to Chief Braun.

Q. Where were you going on this morning?

A. I was going to work.

Q. And where do you work?

A. At the Pan Handle yards in Carnegie.
Q. And would you go—would your course to your work take you over this particular route?
A. Not exactly, no, but I heard the Klan was coming down through Carnegie and I went up to see it. I had about five or 10 minutes extra time and I just walked up that way.
Q. Had the parade reached the bridge at the time you arrived there?
A. When I reached there the parade was at the bridge and was stopped by a mob of people.
Q. Where was it that you first noticed that this parade was stopped by a mob of people?
A. Right at the Glendale bridge.
Q. And you were at the bridge?
A. When I got up to the bridge they were there and they were stopped.
Q. Then what did you do?
A. Then the crowd started to push and I got down to Third Street again, and when the clubbing was done the Klansmen were on down the street, and when I was going by this alley way is when the shooting took place.
Q. And on which side, going down Main Street from the bridge, is this alley way?
A. On the right hand side.
Q. And where were you walking?
A. Right on the sidewalk.
Q. Were there many people there?
A. Well, there were a good many there.
Q. Well, what do you mean by a good many?
A. Well, a good crowd; the streets were crowded and so were the sidewalks.
Q. And were the people that were on the sidewalk moving with the parade?
A. Right at the place where I was there were not more than three or four on the sidewalk, but the street was crowded.
Q. Where was this man when he was shot?
A. Standing on the street, right in the middle of the street at the first car line.
Q. And how far is that from the point where you saw these shots fired?
A. Well, I would judge from ten to fifteen feet.
Q. Was anyone around this man that was shot?
A. Nobody but the Klansmen; they were marching with him.
Q. They were marching at the time, were they?
A. Well, they were not marching; they were standing still at the time of the shooting.
Q. Was anyone standing near you at the time?
A. No, sir, there were a few around there, but I could not recognize them; they were strangers to me.
Q. Then there were only a few on the sidewalk at that time?
A. Just as I say, there were three or four people on the sidewalk, but of course there were more coming and going.
Q. As a matter of fact, was this street not mobbed with people?
A. Not right where I was, no sir; I was not squeezed or pushed.
Q. Now, how wide is this alleyway from which the shooting took place?
A. I judge it is from three to five feet.
Q. Is there a lot in it?
A. No, sir.
Q. Is it an alleyway between two houses?
A. Yes, sir, between two houses.
Q. Is it a public alley?
A. No, sir; it is a public alley for the people that live in those houses.
Q. And you say there is a gate on this fence?
A. Yes, sir, a wooden gate.
Q. And how high is this gate from the ground?
A. I judge about five feet.
Q. And which way does the gate open?
A. In towards the alleyway.
Q. Into the alley?

A. Into the alley, yes, sir.
Q. And how near were you to this alley when this shooting took place?
A. About two feet.
Q. You mean two feet from the building line?
A. I was not over two feet from the mouth of the alleyway out to the sidewalk; I was walking right along about the middle of the sidewalk.
Q. Did you see this man with the gun before the shots were fired?
A. No, sir; did not see the man around before the shooting; never knew he was around there.
Q. What first attracted your attention?
A. His shooting.
Q. And where was this shooting from?
A. Right out of the alleyway, about one or two feet from the gate.
Q. And did you see the flash of the first shot fired?
A. Yes, sir, I could not help seeing it; it pretty near hit me.
Q. And did you see how this gun was discharged?
A. How it was discharged?
Q. Yes.
A. Why, he just held it up that way (indicating) and shot right into the parade.
Q. Did you see him holding it up?
A. Yes, sir, and I saw the man's face as plain as I can see yours sitting there.
Q. Just how did this man shoot his gun?
A. Why, he just held it up that way (indicating) and shot out three times in front of me.
Q. Did you see the gun being brought up?
A. No, sir, I did not see it being brought up; just as I went to pass the alleyway the shots rang out, and I looked into the alleyway and I could not help seeing the man's face.
Q. How could you see this man's face when you just said there was no light in this alleyway?
A. Because there are arc lights that throwed light all along the street there and into that alleyway, and a man as close to him as I was could not help seeing who the man was, a white man especially.
Q. When you saw this gun pointed, what did you do?
A. I stopped.
Q. And what did you say?
A. I said, "You cowardly —"—there are ladies here and I do not want to use the plain language——
Q. Well, this is a Court room and you are testifying to exactly what you said?
A. I said, "You cowardly —, shooting out an alley way into a crowd that way," and just at that he slammed the gate and I kicked the gate open again, and as I did that he fired one more shot and Abbott fell dead.
Q. And before the shot was fired, did you see him holding the gun?
A. No, sir, that is what attracted my attention to him.
Q. Oh, then you did not see him until the shot was fired?
A. No, sir, that is what told me he was there.
Q. You just stated that you saw the gun before the shot was fired?
A. I said I saw the man's face that fired the shot and it was "Paddy" McDermott, and I saw the gun just when he shot.
Q. Then after the first shot was fired what did you do?
A. He fired three shots and he slammed the gate shut and I kicked it open again, and that is when he shot again and Abbott fell dead.
Q. Then what did you do?
A. I walked down to the doctor's office where they carried the man, and they said the man was dead, and just then they were carrying another man down that was wounded, and I helped to carry him into the doctor's office.
Q. Did you call to anybody?
A. No, sir. I did not call to anybody.
Q. Did you attempt to chase the man after these shots were fired?
A. No, sir, I would not start after a man that did a stunt like that; I was afraid of getting shot myself.
Q. Did you see the man that was shot, fall?

A. I saw him fall, yes, sir.
Q. Did he fall to the ground or was he caught by someone?
A. Well, he fell to the ground and no more than he hit the ground he was picked up by some of the men that were with him, and they carried him into the doctor's office.
Q. How long have you known Mr. McDermott?
A. About fifteen years.

Cross Examination

Mr. ESTEP:

Q. When you addressed McDermott with that appallation you just applied, did you say anything after that?
A. Not a word.
Q. Did you see him running back from the alley towards the rear?
A. I did not see him running, because after he fired the second time the gate was slammed and I did not see any more of him.
Q. After the first shot was fired, did you see any other shots that were fired in the air?
A. Before the shots from the alley the Klansmen in the middle of the street shot up in the air, and that is when the shots came out of the alleyway.
Q. The shooting up in the air was over before the shots from the alley?
A. Yes, sir.
Q. And were there any other shots that you heard from the alley at the time the man fell?
A. No, sir.
Q. How far is this alley from the bridge there on Third Street?
A. Why it is two squares and a half between Third Avenue and Fourth Avenue.
Q. That is, down towards West Main Street?
A. Yes, sir.
Q. And had you been as far up as the bridge at the time of the first commotion?
A. Yes, sir.
Q. Then you were walking down towards West Main Street at the time you passed this alley?
A. Yes, sir.
Q. How was the crowd at the bridge when you were up there?
A. Why it was pretty thick.
Q. And it was thinning out as you were passing toward West Main Street, and it was thin enough to walk without any trouble when you passed that alley?
A. Yes.

B. F. HELINGS, JR., having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. B. F. Helings, Jr.
Q. What is your address?
A. 1036 Wallace Avenue, Wilkinsburg, Pennsylvania.
Q. What is your occupation?
A. Contractor Painter.
Q. Mr. Helings, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. Well, the night of the parade, the Klan was marching and I was going down with the rest of them, and we stopped at the bridge for quite a while. I happened to be very close to the front. As we stopped at the bridge, the automobile that was in front of us went back, and then we went through a crowd out in the street, and as we were going down this street—I do not know what street it is—I do not know anything about Carnegie—but I would say that we passed about two or two and a half squares past the bridge, and on my right I saw a flash, and as that flash flew, the man that was next to me fell, which was Abbott, and then I saw another flash and I stooped over to help to pick Mr. Abbott up and carry him back to the office, and as I stooped

there was another shot that apparently seemed to be in the same place, although I did not see that shot, as it was right over me, and I helped to carry Mr. Abbott back to the doctor's office. I do not just remember, but it looked like a dentist's chair that we put him in. As the second flash went, I saw the man that was shooting from the sidewalk. I did not know the man's name, and I never saw the man before, and I never saw him since until I was at a hearing, I believe it was one day last week, I am not sure, and there I believed I recognized the man as being the same man, and I identified him as the same man.

Q. How near were you, Mr. Helings, to this man who fired the shot?

A. Well, I could only guess at that in confusion, but it apparently seemed to me as though I was about from here to that wall. (Indicating.)

Q. About twelve feet?

A. About that.

Q. And where was this man who fired this shot?

A. Standing on the sidewalk; it looked to me as though he was about in the middle of the sidewalk.

Q. You could see the man, out?

A. Yes, sir, he was facing me.

Q. And was he in an alley?

A. I did not notice any alley.

Q. Where were you standing?

A. I was walking right along side of Mr. Abbott.

Q. Were you walking on the sidewalk?

A. No, sir, in the street.

Q. And how far was this man from the curb?

A. Well, as I say, he was in the middle of the sidewalk, and it looked to me to be about from here to the wall.

Q. Do you know whether you were walking along the curb or out in the middle of the street?

A. No, there were several between me and the curb; I was away from the curb.

Q. And Mr. Abbott was walking next to you?

A. Yes, but I did not know that at the time; I did not know it was him.

Q. Well, the man that was shot, you discovered later he was standing beside you?

A. Yes, sir.

Q. Did you see the gun fired?

A. I saw it held up the second time, yes, sir.

Q. Did you see this gun when it was first put into action?

A. No, I just noticed the flash; that is what attracted my attention, and this man that fell beside me prompted me to look in that direction.

Q. Have you made any previous statements regarding this shooting?

A. Yes, sir.

Q. At any time did you say that you saw the man throwing the gun back with his one hand and then shooting with the other?

A. No, sir, the only statement I believe I ever made was in front of you and in front of our headquarters.

Q. At any time did you make a statement that, before the shot was fired, the man pulled his hand back with his left hand and then fired?

A. No, sir.

Q. How many shots did you see fired?

A. I saw two shots fired—I saw the flash of the one and I saw the other shot fired directly, and another shot that I thought was fired from the gun when I was leaning over; I am not sure about that, but it seemed as though it was shot very close to me, and I thought it was coming that way.

Q. Did any of the shells strike you on the hand?

A. Yes, sir.

Q. And did you pick this shell up?

A. Yes, sir.

Q. And what did you do with it?

A. Well, I kept it for a day and then took it down to a party and left it with him.

Q. When did you take it to him?

A. That same day I took it down.

Q. Do you have the shell with you?
A. Yes, sir. (Shell is presented to the Coroner.)
Q. You made this file mark on here? (Indicating.)
A. Yes, sir.
Q. The day that I interviewed you in my office, did you have this shell?
A. No, sir.
Q. Who had it that day?
A. I had left it with Mr. Boman.
Q. After this man fired these shots, what did he do?
A. I did not see anything more of him; in fact, I was busy carrying the man back to the office; I carried him back, I judge, for a square from where he fell, back to the doctor's office.
Q. And how long did you stay there?
A. Why, I stayed until three other men came in; two others that were shot and the other had his face busted open.
Q. Do you know any of these men who had their faces busted?
A. Yes, sir.
Q. Who were they?
A. Well, I do not know any of their names.
Q. Are any of them here? Stand up and look.
A. (Witness arises to his seat.) No, I do not see any of them here. They are from Wilkinsburg, though. I believe one of them is a tinner.
Q. Do you know where his place of business is?
A. No, but there are people here that knows his name.
Q. Who is here that knows his name?
A. I think Mr. Nesbit and Mr. Bell know his name.
The Coroner: Mr. Nesbit, will you please stand up?
(Mr. Nesbit arises to his seat.)
The Coroner: Will you give us the name of the man that this witness refers to?
Mr. Nesbit: I do not know who he is referring to.
The witness: I thought he did.
The Coroner:
Q. Why did you think he did?
A. Because he knows him; I thought if he had his face hurt he would know it, because he meets him frequently.
Q. When did you arrive at your home after this affair?
A. Well, I should judge it was around four o'clock.
Q. You can read, can you, Mr. Helings?
A. Yes, sir.
Q. And you read the daily papers?
A. Yes, sir, sometimes.
Q. You were particularly interested in this affair that happened in Carnegie, were you not?
A. Sure.
Q. You read accounts of it in the papers?
A. Different accounts, yes, sir.
Q. Did you know that there was a man detained in the Allegheny County Jail?
A. Yes, I knew several were detained.
Q. And you witnessed the shooting of this man Abbott?
A. Yes, sir.
Q. And you know that there are certain offices in Allegheny County, which are so instituted by the law, to determine and obtain evidence regarding such affairs, do you not?
A. Yes, sir.
Q. Did you come forth at any time to give that evidence?
A. Yes, sir.
Q. When?
A. I believe it was about three or four days after.
Q. And where?
A. To you.
Q. It was on a Thursday, was it not?
A. I believe so; I cannot just remember.
Q. Five days after this happened?

A. Yes, sir.
Q. Why did you not go to the District Attorney's office and give your evidence?
A. Well, I thought they would call for witnesses.
Q. They called every day in the papers. You read the papers?
A. Yes, sir.
Q. And you knew they had a man detained in jail, did you not?
A. Yes, sir.
Q. And from what you read in the papers you knew he had been identified by only one person?
A. I was looking for the Coroner's Inquest and I expected to come to that.
Q. But why did you not come forth and offer your evidence at the proper time?
A. Well, I did go to the Constable and tell him.
Q. What Constable?
A. Mr. Born, I think, is his name.
Q. A constable from where?
A. I think he is from Carnegie.
Q. From Carnegie?
A. I think so.
Q. Did you go to Carnegie?
A. No, sir.
Q. Did he come to you?
A. No, sir, I met him in Pittsburgh.
Q. When?
A. On Monday following the shooting.
Q. And what did you tell him?
A. Just what I have told you.
Q. And what is this man's name?
A. I think his name is Born, or something like that.
Q. Is he here this morning?
A. No, I do not see him.
Q. When did you first tell anyone that you saw the man who fired the shot that killed Mr. Abbott?
A. Well, I told several that night.
Q. Who?
A. I do not remember who.
Q. Well, you were talking to him and you certainly remember who it was that you were talking to?
A. Yes, but I just do not remember, because there were so many of them.
Q. Well, if there were so many of them, you surely remember one that you told?
A. Well, I do not remember who; I might just name the wrong one.
Q. No, you would not name the wrong one if you talked to a man. Who did you first tell about seeing this man fire the shot?
A. Well, I would not want to say.
Q. You would not want to say?
A. No, because I do not remember.
Q. You say first you would not want to say, and then you say you do not remember?
A. Well, I want to be sure of it.
Q. Why would you want to be sure?
A. Because I want to be sure.
Q. Is there any doubt in your mind who is the man? Who is the first man that you told that you saw the man who fired these shots, or that you could identify the man who fired these shots?
A. There is a doubt in my mind.
Q. Well, name the man, and then he can state if there is any doubt. Why should you hesitate for a minute in a case of this kind, where a man has lost his life and some are accused of shooting of that man? Why should you hesitate for a minute who you first stated this to?
A. Well, I can not remember the name of the man; if I can remember that, that is the man.
Q. Why is it that you forget all these names?

A. Because I have met so many men that I can not just remember who all I did see.

Q. Then you cannot remember distinctly the face of the man that fired these shots?

A. Yes, sir, I remember that.

Q. And what else do you remember?

A. Well, I can name several that I told.

Q. Name them.

A. I told Al Anderson.

Q. Where does he live?

A. In Wilkinsburg.

Q. Is he here this morning?

A. Yes, sir.

The Coroner: Mr. Anderson, stand up, please.

(Mr. Anderson arises to his feet.)

The Coroner:

Q. When did you tell Mr. Anderson?

A. The next day.

Q. On Monday?

A. No, on Sunday.

Q. What did he advise you to do?

A. He did not advise me to do anything.

Q. Who else did you tell?

A. Mr. Prentice.

Q. Is he here this morning?

A. Yes, sir.

The Coroner: Mr. Prentice, stand up, please.

(Mr. Prentice arises to his feet.)

The Coroner:

Q. When did you tell him?

A. The same time.

Q. Who else did you tell?

A. I told Mr. Miles.

The Coroner: Mr. Miles, stand up, please.

(Mr. Miles arises to his feet.)

The Coroner:

Q. When did you tell Mr. Miles?

A. A day or two afterwards.

Q. How long afterwards?

A. I would say on Monday or Tuesday.

Q. Who else did you tell?

A. Mr. Hull.

The Coroner: Mr. Hull, please stand up.

(Mr. Hull arises to his feet.)

The Coroner:

Q. When did you tell Mr. Hull?

A. I think it was on Tuesday.

Q. And who else did you tell?

A. Well, I told lots, but I cannot just remember.

Q. Then you told at least four men that you could identify the man who fired this shot?

A. I told them I saw the man that fired the shot.

Q. Did any of them advise you to go to the proper authorities? And advise you the proper procedure to follow in the case?

A. I believe some of them did say that I ought to come down to the District Attorney and give him the shell.

Q. And why did you not come?

A. Well, I went down to our headquarters; I went down to where Mr. Born was.

Q. Now what do you refer to as your headquarters?

A. Well, the Klan headquarters.

Q. And did you tell them there that you could identify this man?

A. Yes, I told the man very plainly that to the best of my knowledge I could identify him.

Q. And when did you tell them?

A. On Monday or Tuesday.
Q. Were you advised at that time to see the District Attorney and give him this information?
A. They brought me over to see you on the following Thursday.
Q. And you told them on Tuesday?
A. I think it was Tuesday, but I am not sure about the day.

Cross Examination by Mr. Estep

Q. You say that you saw the man that did the shooting?
A. Yes, sir.
Q. When did you see him first after the night of the shooting?
A. I saw him first in Anderson's office.
Q. And what was the man's name that you saw at Anderson's office and that you identified as being the man that did the shooting?
A. He gave the name as McDermott.
Q. He was at the Squire's office when you saw him?
A. Yes, sir.

A. W. ANDERSON, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. A. W. Anderson.
Q. What is your address?
A. 752 Rebecca Street, Wilkinsburg, Pennsylvania.
Q. Mr. Anderson, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. Well, as far as seeing the man that did the shooting, I seen the shots that were fired, but I was too far away to try and identify him.
Q. How far were you away?
A. Well, I was thirty-five feet behind the man that was shot.
Q. Did you see the point from which these shots were fired?
A. Well, they were fired from a dark corner, but I did not stop to find out whether it was an alleyway or what it was; it was around the corner or against a fence or something.
Q. When did you talk to Mr. Helings regarding this shooting?
A. I do not know whether I saw him the next day or not: it was Sunday or Monday.
Q. And did he tell you that he thought he could identify the man?
A. He said he thought he could, yes, sir.
Q. And what did you tell him to do?
A. I believe I told him to go to the County Detectives' office or some place.

ALECK K. PRENTICE, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. Aleck K. Prentice.
Q. What is your address?
A. 710 Penn Avenue, Wilkinsburg, Pennsylvania.
Q. Mr. Prentice, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. I do not know anything other than what Mr. Helings told me.
Q. Were you there at the time of the shooting?
A. No, sir, I was on the other side of the Glendale bridge.
Q. You did not witness the shooting?
A. No, sir.
Q. And when did Mr. Helings tell you that he thought he could identify the man that fired this shot?
A. About noon on Sunday.
Q. And did you give him any advice in the matter?
A. I told him he ought to go and tell somebody what he knew.

Q. Do you know whether he did or not?
A. No, sir, I did not pay any more attention to it.
Q. Do you know any of the men that were injured in this occurrence?
A. At the Glendale bridge they rode one man back that I recognized that was injured.
Q. And who was that?
A. Mr. Bower.
Q. Do you know where he lives?
A. In Wilkinsburg.
Q. Do you know the street he lives on?
A. No, sir.
Q. Do you know his business?
A. I could not tell you that; I only know him by his last name and only know him to see him.
Q. How old a man is he?
A. Oh, about a middle aged man.

JOHN G. MILES, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. John G. Miles.
Q. What is your address?
A. 1203 Franklin Avenue, Wilkinsburg, Pennsylvania.
Q. Mr. Miles, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. Well, there was a parade crossing the bridge into Carnegie, and the parade was stopped at the side of Carnegie, at the end of the bridge.
Q. Were you present at the time that the riot was going on?
A. Well, I might say that I was there when it started, yes, sir.
Q. And did you see the shooting?
A. No, sir.
Q. Did you learn anything of the shooting immediately following, or on the same night, or on the following day?
A. Well, I was told by several that night that there was a man shot.
Q. Did Mr. Helings interview you at any time?
A. I think he did, two or three days afterwards; I do not just remember when it was.
Q. Did you advise him in the matter?
A. No, I do not suppose I did.
Q. Did he tell you the story as he told it here?
A. Yes, sir, practically described the man to me.
Q. Did you deem that pretty important evidence?
A. Yes, sir.
Q. Did you know at that time that the efforts of the District Attorney's office were being made to obtain the identification of the individuals they were detaining at the Allegheny County Jail?
A. Yes, sir.
Q. Did you advise this man to assist in that matter?
A. No, because I knew that the detectives had the matter under consideration, and I understood that they had his name at the time I was told about it. I also told the detectives all I knew about the case and give them any information that I had.
Q. Did you know that at the time that Mr. McDermott was being detained in the Allegheny County Jail, and that there were some individuals who stated that they thought they could identify the man that fired the shot?
A. Only Mr. Helings.
Q. You knew it then?
A. I believe he was in jail at the time: I am not positive about that.
Q. Did you make any steps to get into touch immediately with the County Detectives' Department, so that they could push this matter and so that they could obtain this man for the purpose of securing this identification?
A. Well, the detectives were at my office a couple of times, and I do not remember really how long it was after Mr. Helings told me that, that I spoke to him about it.

Q. Did you know about Mr. Helings before the detectives came to your office?

A. Oh, yes.

Q. Then that was some few days—probably one or two days after the riot?

A. Well, I do not remember that.

(The Coroner calls a witness by the name of R. F. Meyers to testify, but the witness does not respond to the call.)

The Coroner: (Speaking to Mr. Davidson, the Chief Clerk): Mr. Davidson, has Mr. Meyers been properly subpoenaed to be present at this hearing?

Mr. Davidson: Yes, sir.

JOSEPH H. DYE, recalled.

Examination by the Coroner

Q. I believe you interviewed Mr. R. F. Meyers, did you not, Mr. Dye?

A. Yes, sir, in company with Detective Burke.

Q. And from what information you obtained from him was he or was he not an important witness?

A. He was, yes, sir.

Q. Will you state to the jury just what information you obtained from Mr. Meyers?

A. Do you want me to give as near as I can his testimony?

Q. If you will, please?

A. Mr. Meyers stated that on Friday evening, the 31st of August in the office of Burgess Miles, of Wilkinsburg, that he was in Carnegie on the night of August 25th and the morning of the 26th, on the street—he did not know the name of them—but near the bridge. He saw the Klan parade coming down the street and saw a crowd collect to stop them and saw mobs rushing up and taking the flag and cross from the car, and he described the man as being 47 years old, a rather nice looking man, fairly well dressed, smooth face, standing near the center of the street, and a boy came up to him with a package under his arm and handed the package to him and when he opened it it was maces or clubs, and he distributed them out among the crowd, and he saw rocks and palings and bricks being used, but he does not know who used them. He said he went on down the left hand side of the street—he did not know the name of the street—until he got to where he heard some shooting, and he crossed from the left hand side to the right hand side of the street, and as he got one or two steps from the curb he saw a man—do you want me to give a description of the man?

Q. If you can remember it absolutely.

A. I can. He said he was about six feet tall, slender build, thin face, aged about sixty years, reach back to his hip pocket and—he said if he did not have a moustache he needed a shave badly—reach back in his hip pocket and pull out a revolver with the left hand and fired three shots with the left hand. He said he immediately grabbed the man's gun from him and knocked it to the street, and the man made a grab for the gun at the same time as he was grabbing for it, and he said that he got it before the other man. He said it was a thirty-two automatic, foreign make, and the man wheeled and ran through the crowd, and he thought he would be able to identify him, and he said that he took the revolver home. It had two loaded cartridges still in the chamber, and he kept that revolver until about three o'clock, or sometime, Thursday afternoon, when he said a man, describing him to me about the build of Mr. Bourke, but not Mr. Bourke, came to his house with a letter signed by the District Attorney, asking that that revolver be turned over to him, and he said he turned the revolver over to this man and also turned the letter back to the man. He said he thought he would be able to identify the man that did the shooting. That is the statement as I got it down.

Q. Were you with him at any time when he did identify the man that did the shooting?

Cross Examination by Mr. Estep:

Q. What became of the gun, Mr. Dye?

A. I do not know.

Q. Did you find if there ever was a letter written by the District Attorney?

A. There was not, no, sir, and there was not any man from our office at his residence.

JOHN F. CONLEY, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. John F. Conley.

Q. What is your address?

A. 453 Beechwood Avenue, Carnegie, Pennsylvania.

Q. Mr. Conley, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, I left my office in Pittsburgh about four o'clock on Saturday afternoon—

Q. You are the Burgess of Carnegie?

A. I am the Burgess of Carnegie. I left my office in Pittsburgh in the Union Arcade Building at four o'clock on Saturday afternoon, and arrived in Carnegie about 4:30 and when I got there I learned that one of the constables from the borough had arrested some five or six men who were doing police duty in the Borough of Carnegie and who were equipped with loaded pistols. Later in the day one or two of my policemen picked up three or four additional men doing the same duty in the same way. They all had pistols in their possession, and, I believe most of them were exposed and they were all loaded. These men were arrested and were put in jail. That was my first intimation that there was something brewing that night, learning, of course, that there was to be this initiation of the Klan on the hill overlooking Carnegie. Well, I went home, during the course of events, and came down again about seven or seven-thirty, and there seemed to be a lot of people on the street and sort of a tense feeling existed; it was one of those intangible things that you could not see but you could feel it, and I went down and met the daylight desk sergeant and he told me he was afraid they were going to have trouble, and they called up the county detectives' office and the Sheriff's office. They asked me that, in the case of trouble, what to do, and I said, "Anybody that breaks the law, arrest them—anybody." Of course, we had talked this thing over, too. That night I was standing in front of Squire McMillen's office with Mr. Dillon, a deputy sheriff, and some county detectives, and we got word there was a battle on up at the bridge, and the detectives got on the car and proceeded up to the bridge. I did not get that car, but got one a few minutes later and went up with the daylight desk sergeant of the Carnegie Police. There was not a whole lot doing at the bridge when I got there. Of course, there was a little mob there. I remember Deputy Sheriff Dillon getting up to make a speech and demanding that the Klan go back in the name of the law. They started back, just momentarily, however, and there seemed to come an order from the rear of the procession to advance, and in one great commotion they came through a barricade of people and automobiles, and down the street they went. Dillon and I then went in a house in the immediate vicinity, and we realized that the situation was very bad, and we decided that we had better call for reinforcements from the Pittsburgh Police, and Mr. Dillon called up Police Headquarters—I do not remember exactly who he got on the 'phone—but anyhow he asked them to send out a detail of police and within an hour or two I guess about a hundred came out and cleared the streets. I did not hear any shots and was not near the scene of the shooting. That probably happened when we were in telephoning.

Q. When did you first learn that Mr. Abbott was shot?

A. Well, I went home that night under the impression that there had been two men killed; I did not know who they were or anything definite about it; that was about a little after three I think when I left the police station.

Q. Had you obtained at that time any information as to who had done the shooting?

A. There was not any information as to who had done the snooting.

Q. Did these men who had arms and were arrested in the streets of Carnegie appear before you?

A. Yes, I gave them a hearing the next morning, on Sunday morning. We have an ordinance in Carnegie—No. 155—which prohibits the carrying of arms, either concealed or exposed, for the purpose of intimidating the people of the borough, which provides a fine of five dollars or five days in jail. That is what I fined them on.

Q. Had you issued any order designating any additional people to police the streets that day?

A. No, sir. There was a man by the name of Cable. He wore a uniform of a captain of the United States Army. He told me he was discharged, but he did not have the red chevrons which are required by the army regulations, and it seemed he was at the head of them; outside of him, the other eight or nine were not men of average intelligence. They did not know what they were doing, but this fellow, according to the testimony that was produced before me, told them that he had instruction or orders from the District Attorney's office and it was perfectly all right for them to perform these services, and, of course, before the hearing, I called up the District Attorney and he denied that such was the case.

Cross Examination by Mr. Estep

Q. How long before Saturday night did you know that there was to be a meeting of the Klan?

A. Why, the thing had been rumored, just as it has been rumored now, that every Saturday night there was to be a demonstration; we did not know for sure that there was to be a demonstration that night, or, at least I did not know until I got home that Saturday afternoon; that was the first positive evidence I had of the fact.

CHRIST H. KEISLING, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Christ H. Keisling.

Q. What is your address?

A. 534 Hulton Street, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Chief of Police of Carnegie Borough.

Q. Chief Keisling, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Do you mean upon the day of the 25th, previous to it?

Q. No, what you know that took place immediately at the time of this shooting.

A. Yes, sir. On Saturday, the 25th, around four o'clock, there was seven men arrested by Constable "Ike" Irving, of Carnegie Borough, for carrying fire arms, and were locked up in the Carnegie Police Station, and, knowing the feeling of the people of Carnegie at the time that these men were arrested, and knowing there was going to be a parade that night, which I had heard talk of, I knew there was going to be more or less trouble. So on Saturday afternoon I called up the County Detective Bureau and told them what I knew, and asked them if they would send me out some help in the evening, and I talked to Chief Braun, and some other men in the County Detective Bureau, and they told me they would. Later in the evening, I heard so much talk about ice picks, clubs and fire arms, and everything that could be considered a weapon to prevent the parade through Carnegie, and thinking it my duty to protect the citizens, then I sent a call in to the Sheriff's office, and when I got the man in charge I told him what I had already learned and asked him for help. So later in the evening—I think it was about an hour afterwards—

Q. Just a minute, Chief Keisling. Did you witness the shooting of Mr. Abbott?

A. No, I did not. I heard shots fired after the parade had broke from the bridge down Third Street towards Main Street, and the first I heard the shot above the roar of a cut out, and shouts of "Get the flag," "Throw the car over the bridge," and I think it was four shots in quick succession; then it was probably a minute or so elapsed and there was either two or three shots fired in quick succession, and then there was another pause of a minute or

so and then there was another shot or two, but they were fired so quick that you could not tell whether it was one shot or two shots. That is about all I know.

Q. Where were you at that time?

A. At that time I was with Bob McMillen, the County Detective; I was with him all that evening.

Q. I mean where were you in relation to where the shooting took place?

A. We came down from his office, passing Dr. Jones' office, and coming around, the crowd so rushed us towards the bridge that we had to go around the back way on First Avenue to get to the main street of Carnegie. The street was so crowded that when the Klan rushed through, the people on the sidewalk also rushed to the main street of Carnegie.

Q. And when this rushing took place, was that the time you heard this shooting?

A. Yes, sir.

Q. When did you first learn that Mr. Abbott had been shot?

A. After "Bob" McMillen and I went up to the main street. We heard that four men had been taken into a butcher shop, and then we heard that a man had been taken into Dr. Jones' office, and was dead.

Q. At any time did you obtain any information as to who was the man that did the shooting?

A. Yes, I did. After we went from Roach's to Jones', where Abbott was lying, I went out from Barrett Way, which is an alley leading out to Third Street, to find where he was found—where he fell after he was shot—and there in the middle of the street car track I seen a little pool of blood, and that is where I thought that Abbott fell, and then I went down to the police station to see what could be done, as we had sent in a call for help, and I went down and met the flying squad, and they asked me what I would like to have them do, and I said I would like to have them disperse the crowd from the streets, and they said they would. Going towards the Carnegie station I met Harry Albright coming from the station across the tracks, and he said to me, "Chief, I know the man that shot Abbott," and I said, "Where can I see you, Harry, in a few minutes?" and he said, "Right here," and I said, "All right, Harry," and I went on up and told the police of Pittsburgh what I wanted to have done, and then I goes back in about ten minutes later and Albright was waiting at the Carnegie station, and I takes him and one of the railroad officers that was standing with him—a man by the name of Swartz—and I told him that Chief Braun had come out and was down at the Carnegie police station, and I walked with him down to the Carnegie police station, and there I learned that Chief Braun had been there, but that there was so much noise that he had gone to an undertaking business next door, which would be more quiet, and I takes Harry Albright in there and said, "Now, you take charge of him," and he was a higher man than me and I wanted him to take charge of him, and Albright gave his statement.

Q. Were you present when this statement was made?

A. I was.

Q. What was that statement?

A. Harry Albright said he walked up Third Street as the Klansmen started from the bridge towards Main Street, and as he approached this alley, which is called Barrett Way, he heard three shots in quick succession, and he said he looked and saw the face of "Paddy" McDermott. He said the gun was extended forward in his hand, and it was then that he said, "Paddy," and he called him some name, "What did you shoot that man for in cold blood?" And that McDermott should have shut the gate or something and shot another shot or two in quick succession, and ran.

Q. Who was present when this statement was made?

A. Why, in the office, I think Bill Swartz, the railroad detective, was there, and Harry Albright, myself and—I cannot name if there were any others—as Chief Braun had kept them all outside of the room.

Q. Were there any doctors present at that time?

A. Why, I think Dr. Hanna there, but I do not think he was in the room when the statement was given.

Q. Was any statement made after Albright made this statement—did anyone make a statement to Mr. Braun?

A. There was a man that made a statement—

Q. About what he should do?
A. About what Harry Albright should do?
Q. No, about what Mr. Braun should do?
A. No, not that I heard.

Cross Examination by Mr. Estep

Q. Chief, when did you get the word that there were certain men in Carnegie gathering clubs and weapons with the intention of preventing the parade?
A. That Saturday afternoon, probably from one o'clock on.
Q. Do you remember any particular person?
A. No, I do not, because it was talked of all over the town by one out of every three persons you met.
Q. Did you learn of any person that did have the clubs and weapons throughout the town?
A. No, I did not.
Q. At any time during the afternoon did you come into contact with anyone carrying any stones or weapons?
A. No, sir.
Q. It was just rumors?
A. Yes, sir.

IRA IRVING, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. Ira Irving.
Q. What is your address?
A. 111 Brown Avenue, Carnegie, Pennsylvania.
Q. What is your occupation?
A. Constable for the Second ward of Carnegie.
Q. Mr. Irving, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. Well, about an hour before this took place I was in Crafton, and I had my wife and a party of friends and a deputy coroner with me on an automobile ride up through Crafton, and came back up Main Street and passed Third Street, and I noticed lights down on Third Street as I went by it, and someone in the car said, "There is something going on," so I turned my car around Main Street at Fourth Street and came back down to pass Third Street, and as I got past Third Street someone hollered, "They are fighting the sheriffs back there," and everyone got out of my car but my wife and one fellow in the back seat. We went down Third Street—
Q. Who stayed in the back seat?
A. Why, a boy by the name of Richard O'Malley. We went down Third Street, which was pretty well crowded all the way down, and I left my car in second gear and pulled the cut-out wide open, so as not to run over anybody, and I got down as far as First Avenue and it was blocked from First Avenue to the bridge, and I proceeded to turn my car around to try and get it in the side street, or get it headed back towards Main Street, and I got it half way turned around when someone in the crowd ploughed into the rear of my car. So I shut the ignition of the car off and left the lights on, and then only my wife was left in it, and I buttoned my coat up and ran out on the outside of the crowd on the left hand side of Third Street going towards Glendale, and got to the front of the bridge and there I met Sheriff Dillon and a large, tall sheriff, a rather slender man with a big, black moustache. They were in there holding the crowd with their hands, trying to keep both sides apart. There was a space of three or four feet in there. One was pushing this way (indicating) and the other was pushing that way (indicating), and there was an automobile on the right hand side of the Third Street bridge on this end, and the automobile had some decorations on it, but I could not tell what the decorations were, as the people were falling all over the car and were shoving up against that car that was trying to go across the bridge. There they were—they were locked horns. I tried to get some of them to go back; I told them to cut it out. Some fellow, he jumped up and went to make a speech, and about the time he got on the two bumpers of the car and went

to say something, bricks started to fly, and the Klansmen on the bridge were just packed like that (indicating), and they just burst right through and shoved everyone in the front to the side and ran over them and got through the best way they could, and I turned and ran with them straight to my car, because I knew the way the bricks were flying around there would not be much of a car left, and I got my car, which was standing directly at the left hand side of the street, but the head of my car was towards the Glendale side more than the rear end was. By the time I was going to turn in First Street, there was an old rattle trap of a Ford that jammed in where I was going and my back fender ketched on his.

Q. Was your cut-out open all this time?

A. Yes, sir.

Q. And this cut-out—is it a very loud cut-out?

A. Yes, sir, three-inch Peel cut-out. I was in reverse first—

Q. And what kind of a sound did that make?

A. Well, it would make a sound something like a truck with no muffler on it. (At this point a motorcycle happened to be passing the building on the street and the witness says, "Something like that motorcycle, only louder").

Q. Would it sound like shot being fired?

A. No, just like a roaring sound, you know; it does not make a crack; a small bore makes a crack; it was not like a back fire; a back fire would make a crack. I backed my car as best I could and our fenders got hooked up; and some fellow lifted up the fender and got me free, and I started down Third Street towards Main Street, and the street was just like that (indicating) with men in front of me that had torches and they had white robes on, and I would rush in back of them and slip the clutch and step on the gas and roar that cut-out, and they would turn around and open up when they saw the bright lights, and I would slip the clutch again, and I did that, I believe, about three or four times, and when I got to the German church, which is about a block from where I started, I had got in the lead somewhere between the first and second block, and my eyes were focused on the people in front of my car, and as I got to the head of the procession and when I got about two hundred feet farther I slid down and I started shouting to the people to get off the street, and when I came around the corner of Third Street and Main Street I headed my car down Main Street towards the Pan Handle Depot, and I got out and met some folks that had some cars parked along the side of Main Street, and there were some women that were there and I said, "Take the women away. Get away from there, because there is a riot coming down the street." I drove my car in front of the Pan Handle Restaurant in Second Street and I stopped my car there and I got out, and probably about five seconds after that I heard shooting like that (indicating) right across on the next street on Third Street. The noise sounded to me like it was around the Church on Third Street. About half a minute after that a crowd of Klansmen came down around the corner and just headed down Main Street and then stopped. I headed down in front of Jake York's with my car and I stopped my car and when I stopped my front fender was almost up against Reverend Mills' person when he was standing there, and I got off the car and Reverend Mills said to me, "What is going on out there?" And I said, "There is hell going on up there. They are killing people up there." That is all I said to him. Someone asked me if the parade was coming and I said, "There is a riot coming down the street, and you better get off the street and there will not be so much, but before you go I want some citizens in this crowd to examine my gun, because there has been some shooting done up there and I do not want to be blamed for it."

Q. Why would they blame you?

A. Because there are some people there that do not like me.

Q. Do you have a reputation for shooting up the town?

A. No, I never shot the town up; but at that particular time it seemed to me like I heard the shot that everybody was shooting.

Q. And that made you think—

A. That maybe I had a hand in it, too. So I took the shells out of my gun and passed them around to the bystanders that were standing there and they smelled the barrel of my gun and returned the gun to me, and I put the shells back in the gun again and I put it back in my holster, and buttoned my coat and went on up to the fight in my car, and stopped on this side of Second

on the right hand side of the railroad, and I stopped five or ten seconds and I seen Detective Geisler come running out of the crowd with a flag in one hand, I think, and a hold of a man in the other hand, and it was just like a crowd of "B"—shaped of men following him and he started toward Glendale and my car intercepted him and I said, "Here is a car," and he said, "You take care of this flag. You will be responsible for it, and take care of these men," and I turned and throwed the front door open and the back door open and the men jumped in the back seat, and they jerked the two auxiliary seats out, and my car was loaded up just that quick?

Q. What with?

A. With Klansmen.

Q. How do you know they were Klansmen?

A. Because they had robes on; some of the robes were half on and half off, and they loaded in my car; there were three kinds of men in my car at the time, and they took the flag—the staff of it was broken—and they laid it back amongst the man, and after I got in the car the Klansmen got in and sat down alongside of me and someone said, "Where are we going?" and I said, "You drive the car." It was a young fellow driving the car and he drove around the corner and he started down Main Street and started to go a little fast and I said, "Take it easy. There are men all over this car and we do not want to hurt anyone."

Q. Where did you go?

A. We took them to Crafton and put them in the Crafton lockup.

Q. Did they have weapons on?

A. No, they did not. I figured they had been participating in the riot, and as the County Detectives told me to take care of them I figured they were nothing but prisoners.

JOHN J. DILLON, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. John J. Dillon.

Q. What is your address?

A. 2652 Pioneer Avenue, Pittsburgh, Pennsylvania.

Q. What is your occupation?

A. Assistant Chief Deputy Sheriff of Allegheny County.

Q. Mr. Dillon, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. On Saturday, August 25th, about six o'clock, I received a telephone message from Mr. Bailey, the Sheriff's Solicitor at my home, requesting me to go to Carnegie, as the Chief of Police had called the office and expected trouble there. I immediately prepared and got a machine and drove to Carnegie and there I met the Chief of Police and the Burgess and County Detectives Geisler and McMillen, and Deputy Sheriff Goldsmith and Rush, and went to police headquarters and went through the borough and looked things over, and about nine or ten o'clock we received word that they were not going to parade and we thought everything was over. At the main end of the town there was quite a lot of people. I had been up as far as this bridge where the riot occurred. About eleven o'clock, in front of Squire McMillen's office in Carnegie, two motorcycle officers—the motorcycle force—and the sergeant had rode down, and they had been injured and notified us of the serious trouble that had started at the bridge, and I immediately got aboard the sheriff's car with what deputies I had there, and rushed to the scene of the trouble. I seen that things looked very serious and realized that if we could not get control of either party that there would be some serious trouble. After pleading with the citizens and the Klansmen for some time, I seen it was useless, and I mounted the machine that was leading the Klansmen's parade and addressed the Klansmen in the name of the Sheriff of Allegheny County, demanding them to desist, as we were there to protect life and property, and that I knew if they insisted upon marching that there would be some serious trouble. Some of them listened to me, and I went back among the Klansmen myself, pleading with them, and telling them, "What would they gain if they would triumphantly march through the streets of Carnegie Borough if there was a

life lost, whether it was a Klansman or a citizen of the borough?" A lot of them were paying attention to me, and we told them we could not avoid trouble if they insisted upon marching, and we held them in check for about a half hour. I had some of the Klansmen helping me and some of the citizens of Carnegie helping me, with the officers of the County detectives. At any rate, when we had them going back, there was some man got on the side of the running board and gave an order and we were swept aside; I came near going over the side of the bridge, and there were some citizens there that got trampled on, and I tried to go into a corner where I thought there was a saloon to try and get a telephone to try and get aid from the city department in Pittsburgh, knowing that the only way to check it would be to get some uniformed men there. I got in touch with the Burgess and he got me into a private telephone and I telephoned and got in touch with Lieutenant Brophy and told him to try and get as many uniformed men as possible and to get into touch with the County Detectives' Office and the Sheriff and advised them of the serious conditions that existed at that time. As I came out around the corner where the scene of the shooting occurred, I seen a couple of them falling, and everything was in a turmoil, and you could not get anywhere as to who was responsible for the shooting, and then I went into Dr. Jones' office and the deceased—Abbott—was on the slab, but I do not think at this time that he was dead; I came there immediately after he was shot and was taken to the doctor's office. I was fearful that he was a deputy that I had, as he resembled him very much—Walter Smith—and I tried to ascertain—there was quite a crowd there—if anyone knew of the shooting or who was responsible for the shooting, but no one appeared to know anything. I again used the telephone in the doctor's office, calling the doctors in the city, and I tried to get Superintendent Jones, but he was not at headquarters, nor the Commissioner in charge of the First District, but I got the Lieutenant of Detectives—Brophy—and he later sent a detail of mounted policemen out, and, following them, a patrol wagon full of uniformed men and two or three loads of city detectives. We then started in to clean the streets—

Q. At any time did you learn, Mr. Dillon, of the actual shooting of Mr. Abbott?

A. No, sir.

Q. When did you first learn anything about who had done the shooting or who was suspected of doing the shooting?

A. About 3:30 o'clock that morning.

Q. Who conveyed this information to you?

A. Why, we were in an undertaking establishment when County Detective Braun told me they had brought a man by the name of Albright, who was going to make a statement that "Paddy" McDermott did the shooting.

Q. And how long was that before this man was brought in?

A. A half hour, about fifteen minutes to a half hour.

Q. Were you present when Mr. Albright made the statement?

A. No, sir; that is, I was not present to see him make the statement; I may have been in the undertaking establishment next to the police station at the time, and I told my men if they got anything to turn it over to the county detective.

Q. Were you present when any arrests were made?

A. Yes, sir.

Q. When who was arrested?

A. When Mr. McDermott was brought to the station house.

Q. Were you present then?

A. Yes, sir. Detective Geisler and, I believe, there were some deputies went to Mr. McDermott after we received this information, and we made some inquiries, and he was not there when we got there. Some people said that they seen him going away in a machine, and we learned that he had an establishment in McKees Rocks, and we were going back to get in touch with the police at McKees Rocks to apprehend him if he went in that direction, and we conversed with Dr. Jones at that time, and at that time he did not know by name the name of the man that did the shooting; that was at 3:30 in the morning.

Q. Did he make any statements as to whether anyone had told him that they had seen the man that did the shooting?

A. We told him that we were after Mr. McDermott for the shooting at that time.

Q. Were you present when Mr. McDermott was taken into custody?

A. Not when he was brought into police station. They got Mr. McDermott at his office.

BERNARD M. GOLDSMITH, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Bernard M. Goldsmith.

Q. What is your address?

A. 52 Creighton Road, Crafton, Pennsylvania.

Q. What is your occupation?

A. Deputy Sheriff.

Q. Mr. Goldsmith, can you add any additional testimony to that given by Mr. Dillon?

A. I cannot.

Q. Can you corroborate the statements as made by Mr. Dillon?

A. I could, up until the point that he got on the bridge.

Q. Can you add any additional evidence to that given by him?

A. Well, I could not, for I was injured right on the bridge and was taken to Dr. McGrew at half past eleven.

CHARLES R. McKENNA, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Charles R. McKenna.

Q. What is your address?

A. 613 Fifth Avenue, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Engineman for the Pennsylvania Railroad.

Q. Mr. McKenna, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, I was in Carnegie on August 25th, and I went down street and I was up at the bridge, and Deputy Sheriff Dillon asked me if I would not help him to hold the crowd, and I said I would do the best I could, and I did the best I could to hold the crowd, but they broke through—

Q. In referring to the crowd who do you mean?

A. The Klansmen broke through the crowd of people.

Q. You refer to the Klansmen?

A. Yes, sir. He asked me to help him to hold the Klansmen back to help to keep peace, and I told him I would. I got knocked down and I went on down to Third Street and there was a bunch down there had bricks, and I went over to the drug store at the corner and stood there, and the Klansmen kept coming down Third Street, and this crowd of boys and men fired across Third Street, and there was a lot of men and children there also, and the Klansmen came down until they got about to Barrett Way, and this crowd started throwing stones at them, and the Klansmen opened fire on the crowd and fired about fifteen or sixteen shots at the crowd.

Q. Were they fired directly into the crowd?

A They were fired directly into the crowd, as one shot went right past my ear.

Q. You did not see it passing your ear, did you?

A. No, I did not see it, but you could tell that they were shooting right across the railroad track at those boys that were throwing stones. I went on up home then. I never knew this man was killed at all that night.

Q. When did you first learn that Mr. Abbott has been shot?

A. I was called out the next morning on the 4:25 bus that goes from Carnegie to Quigley, and when I got past Chartiers cemetery I saw five or

six men kicking the woods there, looking for guns. I did not know what they were looking for at the time, but I learned later that the County Detectives were looking for guns. I went to work and was up at Sturgeon and I asked a fellow that was reading a newspaper if anyone had got hurt at that riot, and he said, "Yes, there was a man killed down there."

Q. You did not actually witness the shooting of Abbott?

A. No, sir. While I was standing there, I can tell what some of the other witnesses told.

Q. Well, if you did not actually witness the shooting or any of the other circumstances immediately leading up to it, your testimony would not be of any value, as that is all this hearing is being determined for.

A. The only one I saw shooting was the Klansmen and there were fifteen or sixteen shots fired, and they were so nervous and excited they did not know where they really were shooting—half of them. They are the only ones I saw shooting.

EDWARD HINES, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Edward Hines.

Q. What is your address?

A. Corner of Doolittle and Sixth Avenue, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Mill worker.

Q. Mr. Hines, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, this shooting took place on Third Street, and I happened to be around there and I seen Mr. McDermott just when these shots took place. He had ducked through an alley there, but there were quite a few ducked through this little alley, and he went through and then a man by the name of Mr. McCabe followed him and I followed him through, too, and when we got towards the other alley—that is, Pine Alley—he started toward a stable, running, and I turned around again on Third Street, and by the time I got around there there had been three or four shots fired.

Q. When was it that you first saw Mr. McDermott?

A. I saw him two or three different times that evening.

Q. At the place of this rioting?

A. I saw him on Third Street near the bridge, and where this shooting took place.

Q. Did you see Mr. Abbott shot?

A. Well, I could not say that I saw him shot, but I seen him fall.

Q. And how far were you from him when he fell?

A. About twenty feet.

Q. Were you on the sidewalk or on the street?

A. I was on the sidewalk, up against the building.

Q. Did you see from which direction these shots were fired?

A. They were fired from the left hand side coming from the bridge,—no, that would be the right hand side coming from the bridge.

Q. Could you see anyone who fired them?

A. I could not recognize who fired them.

Q. Then what did you do?

A. Why, I had left there and I went down to Main Street where there had been another bunch of Klansmen.

Q. After the shooting?

A. Yes, sir.

Q. After this shooting, did you state that you saw Mr. McDermott?

A. Well, I had mentioned it to quite a few.

Q. I mean when did you then see Mr. McDermott?

A. After the shooting?

Q. Yes.

A. I did not see him after the shooting until he had got out of jail.

Q. Well, you had just mentioned that you saw him running down the alley?

A. He had went down the alley after the shooting.
Q. Well, did you see him then?
A. I saw him going towards his office, down Pine Alley.
Q. Do you know in what direction he had run towards this alley?
A. What direction?
Q. Did you first see him in the alley?
A. I first saw him on Third Street.
Q. At what time was that?
A. At the place where the shooting occurred.
Q. And where was he when the shooting occurred?
A. Why, he was standing on the sidewalk.
Q. And how near were you to him at the time?
A. I was within just about four or five feet.
Q. Did you see him firing any shots?
A. No, I did not.
Q. Then what did he do?
A. Why, when the shots were fired he went through this alleyway.
Q. How wide is this alley?
A. Oh, I judge about four feet, between two houses.
Q. Did you follow him through?
A. There was a man by the name of Mr. McCabe followed him and I followed Mr. McCabe; there were quite a few other people that went through there, too.
Q. Did you continue with Mr. McDermott and Mr. McCabe—did you continue with these two men that you followed into the alleyway?
A. I did, until I got out in the alley and I saw Mr. McDermott going toward the office.
Q. And which direction did you go?
A. I went back up on Third Street to where the shooting took place; that is when I seen these shots fired.
Q. Who were with you when these shots were fired?
A. Why, nobody in particular.

Cross Examination by Mr. Estep

Q. Is this alley that you speak of, going off Third Street—is that the one known as Barrett Way?
A. Well, I never heard any name of it.
Q. And it runs into Pine Alley—you go right back to the houses to Pine Alley, do you not?
A. How do you mean?
Q. You run back through this alley, and then through a lot and then into Pine Alley?
A. Yes, sir.
Q. How far is Doolittle Street from this alley?
A. Where I live?
Q. Yes.
A. I judge that is about four or five squares anyhow.
Q. How did you happen to be down at that particular place at that hour?
A. At that hour?
Q. Yes, at 11:30 at night?
A. I was on the street; I was with the folks on the street.
Q. Did you know at that time that there was to be a parade?
A. Yes, sir.
Q. And did you go down there for the purpose of seeing the parade?
A. Yes, sir.
Q. And how many were with you when you went down?
A. There were five of us.
Q. And where did you come from to this position that you took up to watch the parade?
A. I had come from the lower end of Carnegie.
Q. That is located where, with reference to the Central part of Carnegie—the Main Street?
A. That is down at East Carnegie.
Q. And about how long had you been over at this position before the shooting took place?
A. Oh, I guess about half an hour.

Q. And you had been standing in that vicinity for that period of time?
A. No, no, I had been up and down.
Q. Walking up and down Third Street?
A. Yes, sir.
Q. You said that McDermott ran after he got through this alley?
A. He ran towards his office.
Q. He was running down Pine Alley towards his office?
A. Yes, sir.
Q. How far behind McDermott were you?
A. Well, Mr. McCabe was between me and Mr. McDermott; we were all kind of shoved through the alley, but we were all close together.
Q. Why did you run through the alley?
A. Why, to get away from the shooting.
Q. Well, did you know where the shooting had come from?
A. Sure, I could see it.
Q. Where did it come from?
A. Why, from the Klansmen.
Q. I thought you said it came from the right side of the street?
A. I said the Klansmen were shooting then.
Q. We are talking about the shots that you saw coming from the alleyway?
A. Oh, that is when I came around to the front again.
Q. From the alley that you had run into?
A. Yes.
Q. How many shots were fired from the mouth of that alley?
A. I judge about three or four.
Q. And was it after these shots were fired that you saw Mr. McDermott running through the alley?
A. I seen him before those shots were fired, but I seen him after the shots were fired, too.
Q. Yes, where at?
A. Going out through this alley; I said I seen him going through this alley before these last three or four shots were fired.
Q. After the shots were fired, now, I am asking you about. When you first saw him after the shots were fired he was in the alley and going toward the lot and Pine Alley in the rear, is that right?
A. That is when the Klansmen were shooting.
Q. Now, if you will listen to my question, and then be sure about the answer that you are going to give, you will not get into any difficulty. You saw Mr. McDermott immediately after the shots were fired from the mouth of this alleyway, did you not?
A. No, I do not think so.
Q. Now, listen, you have been beating around the bush on every question I have asked you. Now, when did you first see Mr. McDermott after you saw the shots that were fired from the mouth of the alley?
A. Why, after he was out of jail.
Q. Now you just got through saying that you saw him running through the alley, so that was the first time that you saw him after the shots were fired?
A. Well, that is when the first shots were fired that I saw him going through the alley—

The Coroner: Just answer the straight questions.

Mr. Estep:

Q. You saw him the first time after the shots were fired from the mouth of the alley?
A. When the shots were fired from the mouth of the alley?
Q. When was the first time that you saw Mr. McDermott?
A. Well, I did not see him until he got out of jail.
Q. Here, did you not follow him after the shots were fired, across the lot and up Pine Alley, and you saw him going to his office?
A. That is, after the Klansmen were shooting.
Q. You say the shots came from the right hand side coming from the bridge towards West Main Street?
A. Yes, sir.
Q. How close was the man that fell to the alley when the shot was fired?

A. From one alley to the other?

Q. Listen to my question, will you, please? How close were you to the alley when these shots were fired?

A. Oh, I judge about six feet.

Q. And did you see the shots fired from the mouth of the alley?

A. I could see the flash from them.

Q. You saw the flash?

A. The flash.

Q. And how many shot flashes did you see coming from the mouth of the alley?

A. I judge about three or four.

Q. How long after that did you run through the alley to go into Pine Alley?

A. I did not do the running after those shots.

Q. Then you did not go through the alley at Barrett Way at the time these shots were fired from the mouth of the alley?

A. Oh, that was after that; I went through the alley before that.

Q. You went through the alley and then came back to Third Street, and then walked up again near this alley—in other words, you came back to the same place you started from?

A. The same place I had started from.

Q. Now, did you see Mr. McDermott when you came back the second time?

A. I did not.

Q. And had Mr. Abbott fallen before or after that?

A. After I went through the alley.

Q. Now, had there been any shots fired from the mouth of the alley from the time that you ran through the alleyway until you came back again?

A. No, sir, not that I seen.

Q. Well, then, you had not come around the second time when the man fell?

A. I had went through that alley and walked around when the man fell.

Q. Did shots come out of that alley once or twice that evening?

A. Once.

Q. That is when you came out that the man fell?

A. Yes, sir.

Q. Abbott fell then, at the time that the flashes came out of that alley?

A. That is when he fell.

Q. And then you immediately ran through that alley?

A. Before that.

Q. Where was Mr. McDermott then?

A. When I went through?

Q. Yes.

A. He was ahead of me.

Q. Then when you came back did you see him then?

A. I did not.

Q. Then you do not know who shot out from the alley?

A. I do not know.

Q. How far were you from the alley?

A. About three or four feet.

Q. Did you go back to the alley again to see who was in there?

A. I did not.

Q. You passed the alley, then and went down Main Street?

A. I went past the mouth of the alley.

Q. How many people were in that alley when you passed it?

A. Oh, there was quite a bunch of people in that alleyway then.

Q. Were there anybody you knew?

A. I never paid any attention to that.

Q. Any of the five people that you started down from the lower part of Carnegie with at that time?

A. Not that I know of.

A SOLDIER OF CHRIST IS LAID TO REST

VIEW OF KLANSMAN ABBOTT'S FUNERAL
in Robinson Run Cemetery, near Sturgeon, Pa., August 28, 1923

R. S. MEYERS, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. R. S. Meyers.

Q. What is your address?
A. 908 Ross Avenue, Wilkinsburg, Pennsylvania.

Q. What is your occupation?
A. Salesman.

Q. Mr. Meyers, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, as far as Mr. Abbott is concerned, I can not tell you anything about it, because I do not know him.

Q. Well, you saw a man shot in Carnegie on the morning of August 26th, did you not?

A. Yes, sir, I saw a man shot, but whether it was Mr. Abbott or not I could not say that.

Q. Well, if you will, tell us what you know or what you witnessed at Carnegie on this morning, please?

A. I was standing at—I believe it is on this side of the bridge as you approach Carnegie from the adjoining borough at a little confectionery store. I had went in to get some tobies. When the marchers came to that point, then there was a blockade of people and automobiles, and by that time, why, there was a whole lot of shouting and hollering and swearing and so on and so on by a dozen or more people, you know, and that continued on for possibly half an hour, and finally a boy shoved past me with a bundle in his hand, about that large (indicating), wrapped in newspapers, and at the end of this bundle there were small sticks protruding and he went a little bit farther and he handed this to another party and I discovered they were maces—

Q. What do you mean by maces?
A. They were wooden maces.

Q. You mean that had been cut out of wood or something?

A. They looked like an officer's mace to me; they might have been a club, and I realized then that the thing was possibly going to be serious, and I then moved back, and so the affair did not seem to come to a climax and I had made up my mind that it was just a little argument there, and all at once they broke loose and they came through, and all I could do was to keep out of their reach, and when I got down to where the place is—there were no lights on one side of the street, it seemed to me to be about a square or a square and a half from this little store, and there was shooting begun and there were shots from every direction, and there was a gentleman standing right beside me, like this (indicating) and he pulled out a gun, and as he had it, with both hands like this (indicating), and he shot three times.

Q. What were you showing it with your left hand for at first?

A. I do not know; I guess he was operating it with both hands at first, after pulling the gun out of his hip pocket.

Q. Was he on the sidewalk or where?

A. He was like this (indicating) and I was like this (indicating) no, he was on the street, as far as I can remember; he was right on the edge of the street.

Q. Was he in an alleyway?

A. No, sir, he was out on the main street. And when he pulled that gun out he started to fire and he fired two shots and two men fell, and then I thought it was my duty to stop him from killing or shooting any more, and I reached in back of him and I grabbed his revolver, and as soon as I did that, he shot.

Q. And where did he go?
A. He just went out to one side, you see.

Q. Well, did he go through an alleyway or what?

A. Well, I could not tell you whether he went through an alleyway or not, not being acquainted with the place. I managed to keep that gun and take it home with me, and the gentleman who fired the gun—I would know him if I seen him. He was a man possibly my age, or maybe a little bit

older, but he was a thin man—as thin as this gentleman here (indicating the stenographer), if not thinner.

Q. That is pretty thin?

A. Yes, sir. So after that was over I tried to get out of the crowd, which I did to the best of my ability, but I got two or three licks with clubs and so forth, and that was my experience with the affair.

Q. What did you do with this gun, Mr. Meyers?

A. I took this gun out home, and I did not know whether to throw it away or what to do with it. I did not know how to operate it, and I was afraid to move it on account of being afraid it would go off in my hand. I said to a party that lives in the same house with me, "Did you ever operate an automatic?"—

Q. Who was this?

A. Mr. Yocum; he lives upstairs of my place.

Q. Does he still live there?

A. Yes, sir.

Q. What are his initials?

A. W. D.

Q. Proceed.

A. So he, being a soldier, and being afraid of it myself, I said, "Did you ever operate one of these automatic guns?" And he said, "No, but I have seen some of them," and I said, "Here is one that I got down in Carnegie last night."

Q. Did you tell him how you got it?

A. I did.

Q. Proceed.

A. And he said, "No, I do not know anything about a gun of this kind." So I said, "Well, do not monkey with it, because I do not want you shot and I do not want anybody else shot." I proceeded to look over the gun myself, and I could not figure the safe way for me to open it, so I took a chance in taking it apart, and, in pulling on it, the top of the barrel pulled back, and when it pulled back there was a shell flew out. There was a cartridge in it, and I had a clue how to operate it. I monkeyed around and finally I got the chamber out and there were three shells left in it.

Q. You mean counting the one that flew out when you moved the automatic?

A. Yes, counting that.

Q. The one that went on the floor?

A. Yes, sir. So I put the thing together again and kept it there, and some gentleman came out and claimed he was from the District Attorney's office, and really had a letter.

Q. When did he come out?

A. Oh, three or four days after.

Q. What was this letter written on—what kind of stationery was it?

A. If I remember rightly, it had the "District Attorney of Allegheny County" printed on it, and the letter stated—these are not just the words, you know, but it was along this line—that the District Attorney had the knowledge of my being in possession of the revolver that I got during the riot at Carnegie on Saturday, and that I should hand it to this gentleman that was presenting this letter, as he was a representative from the District Attorney's Office, and the letter was signed, "District Attorney Gardner."

Q. Was his signature to it?

A. It was written.

Q. What sort of a looking man was this?

A. A man about the size of this gentleman right here (indicating).

Q. You mean this bald headed man here?

A. Yes.

Q. Did he look like him?

A. No, he did not. I will not get him mixed in this. He was a man about such a build, not quite as old as he is, but I have seen him before and have seen him in the streets for several years.

Q. Which streets?

A. Oh, various streets of Pittsburgh. I have seen him several times in my life here in Pittsburgh, but I do not know the man, but I have not been able

to see him since. I have looked for him, as I discovered that I gave it to someone that should not have had it.

Q. You can read, can you, Mr. Meyers?
A. Yes, sir.

Q. Did you read the papers on the Sunday following this occurrence at Carnegie?
A. No, sir.

Q. On Monday?
A. No, I did not read that issue of the paper.

Q. On Monday?
A. No, I did not.

Q. Do you mean to tell the jury that you were down at Carnegie and witnessed a part, if not all of the riot, and still you did not read any account of it in the newspapers?
A. No, and I will tell you why I did not. I left on Sunday morning and went north; I travel you know; I did not read the paper again until I returned.

Q. When did you get back?
A. Oh, I guess somewhere around ten o'clock on Monday.
Q. Did you read Tuesday's paper?
A. Oh, I suppose I did.
Q. You knew they had some man in the Allegheny County Jail?
A. Yes, I did.
Q. And you had this gun and still you did not come to the District Attorney's Office and give them the information you had in the case?
A. Well, maybe I should have; I did not just think of that; maybe I should have.
Q. Because you had very important evidence—you had the gun which you say was in the hand of the man you saw firing at Abbott, or who you thought was Abbott, and still you did not make any advance towards assisting the proper authorities in running this down?
A. I would not say that this man was Abbott that this bullet hit; there were two men dropped when the shots were fired; one man was in civilian clothes and one with a white uniform on; now, who the men were I could not tell you that.
Q. You do not know whether it was Abbott or not?
A. No, sir, I could not tell you that; absolutely not.
Q. How far was this from the bridge, this shooting?
A. Oh, I am not familiar with the distance from the bridge, but this happened down at a couple of churches; it happened right by those churches, coming this way from Carnegie, going the way the parade was going.
Q. On which side of the street as you would go from Carnegie?
A. Oh, it was on the dark side of the street.
Q. Well, this was night, was it not?
A. Yes.
Q. Well, both sides would be dark then?
A. Well, I mean the side where there were no lights; the side on which the churches are; it would be on the right hand side coming from the bridge.
Q. At any time since the shooting have you been able to identify the man that you took this gun from?
A. I have not.
Q. Have you had opportunity to do so?
A. No, only at the Alderman's office.
Q. Were you able to identify anyone at that time?
A. That did the shooting?
Q. Yes.
A. No, sir.
Q. What calibre of gun was it?
A. A thirty-two, I think it was.
Q. A thirty-two automatic?
A. Yes, sir.
Q. Were you able to tell what make it was?
A. A German make; I cannot tell you the name of it.
Q. How long did this man spend at your house that represented himself as being from the District Attorney's Office?

A. Oh, just long enough to get the gun and leave; he asked me no questions at all.

Q. Are you in the habit of handing things out if someone presents a letter at your house?

A. No, no, I am not, but I handed that out.

Q. Did you show this gun to any other person besides this Mr. Yocum in your house?

A. No, sir.

Q. When did you show it to Mr. Yocum?

A. On Sunday morning just before I left.

Q. At what time did you leave?

A. Oh, I left somewhere around eight o'clock.

Q. Where did you put it when you left?

A. I took it with me.

Q. Oh, you took it with you?

A. Yes, sir.

Q. And where did you go?

A. I went up to Kittanning and I went to my office, and I went from there to Freeport.

Q. You did not have much sleep that night, did you?

A. On Sunday?

Q. You say you left on Sunday morning at eight o'clock. What time did you get hime?

A. I got home about half past two on Sunday morning.

Q. Did you take this gun out of your pocket while you were away?

A. No, sir, I did not; I had it in the pocket of my car; in the side pocket of my car.

Cross Examination by Mr. Estep

Q. Between the time that you got that gun on early Sunday morning until the time that you gave it to this alleged representative of the District Attorney's Office, had you told anybody of having that gun in your possession?

A. Why, you mean anybody in particular?

Q. Yes, anybody that you recall talking to anybody about having that gun?

A. No, sir.

Q. You told Mr. Yocum you had it?

A. Oh, yes.

Q. Do you remember telling anyone else?

A. Well, now, just a minute, since you have asked me that question. On the way out from Carnegie I stopped out at a little lunch counter in Wilkinsburg, and there were two or three men that I knew, and the word had arrived long before I got there, and my clothes were dirty—had dirty marks on my coat and so forth—and one of them said, "Where have you been? Where did you get that mud on your back?" And I looked around and saw where it was—probably where I had been hit with bricks—and I said, "Oh, I got that down in Carnegie," and they said, "Gosh, were you there?" And I said, "Yes, I seen that part of it," and I said, "I got a souvenir down there." I said, "I took a gun from a man that was handling it rather recklessly and was shooting at people," and that is all that was said.

Q. Do you know the names of the men that were in the restaurant that night?

A. Yes, one of the men was Mr. Copper.

Q. And where does he live?

A. In Wilkinsburg.

Q. Do you know his street address?

A. About 748 Penn Avenue; he runs a little store out there.

Q. Do you know anybody else?

The Coroner:

Q. You mean he runs a store at 748 Penn Avenue?

A. Yes.

Q. What is his first name?

A. Will.

Mr. Estep:

Q. And who else?

A. And——No, I cannot recall the other name.

The Coroner:

Q. Whose restaurant was it in?

A. Miller's restaurant.

Mr. Estep:

Q. Where is that located?

A. Down at the freight station.

Q. Was Mr. Miller there at the time you recited this story?

A. No, he was back in the kitchen in the cooking room; I do not think he heard anything about it.

The Coroner:

Q. Did you get anything to eat in there?

A. I got a sandwich.

Q. Who served you?

A. Mr. Miller served me himself.

Mr. Estep:

Q. What were you doing in Carnegie that night?

A. I went down to see the parade.

Q. You knew there was going to be a parade there?

A. I did.

Q. You were not in the parade or anything?

A. No, sir, I was not.

Q. At what time did you get to Carnegie?

A. Oh, I got there along about ten o'clock; maybe a quarter to ten.

Q. Now, the cartridges that were in this automatic revolver, you said one of them flew out as you were monkeying with it?

A. Yes, sir.

Q. Then the man that got the revolver got the chamber and all?

A. Yes, sir.

Q. At what time of the day did he present himself?

A. Between five and six in the afternoon.

Q. You would know the man again if you saw him?

A. You bet your life I would; yes, sir.

Q. Did you take that letter in your hand and read it at the time that he appeared, or did he read it to you?

A. No, he held it right out.

Q. Did you read it in your own hand?

A. Yes, sir.

Q. Did you report that to the detective board at any time of the information he conveyed to you?

A. Why, the two detectives that interviewed me in Wilkinsburg; I believe it was two evenings after that, and I told these two detectives that this gentleman had been there, you see, and they seemed to give me the impression that there had not been anybody from the District Attorney's Office that had authority to do that, and that was the first intimation I had done the wrong thing.

Q. Did you ever have any other conversation with Mr. Yocum between the time you showed him the gun and told him about it on Sunday morning, and the time that you delivered the gun over to the alleged representative from the District Attorney's Office?

A. You mean about the gun?

Q. Yes.

A. No, sir.

Q. Did you see Mr. Yocum between those times?

A. Oh, I see him every evening.

Q. You never had any other conversation between you?

A. Not in reference to the gun, no, sir.

MRS. GRACE MARTIN, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Mrs. Grace Martin.

Q. What is your address?

A. 123 Patterson Avenue, Carnegie, Pennsylvania.

Q. Mrs. Martin, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. My home faces the Forsythe Farm, and during the afternoon and evening of that day, we had found out at home that there was going to be some sort of a celebration there, and when I got there at eight o'clock we viewed the fireworks at that time and knew there was going to be a parade. So long before—well, it took quite some time to see all the fireworks and it was most impressive, and when they started to parade I suppose it was sometime—well, it was after eleven o'clock, and we watched the parade going through Carnegie—that is, through Lincoln Avenue and up Washington Avenue, and I suppose we counted approximately from thirty-five to thirty-seven hundred men. Then after we came back home, then, from Lincoln Avenue, we went down street to get a Sunday morning paper, and the streets were very crowded, and when I went—I said that we could not turn very well on the main street, so we went up to Third Street to turn in that square, and the parade then was coming along down to the bridge. So when we got up just in front of the church, there were not any machines there, but there were machines on up the street, so we parked the machine there and sat there for quite some little time, and the parade did not come along then, and I said we would get out of the machine and go up to the bridge to see just what was going on, so when we got to the bridge there was quite a crowd there—the Heidelberg street car was on one side and a Ford roadster or some sort of an open, small car, across the other track, so in this time the men on the girders of the bridge were jeering and throwing things down on the men and just about, I suppose two minutes after we got to the bridge the men came through. They had to go up on the sidewalk there. I think there were no more than, I suppose, three or four hundred men came across the bridge, and they formed in line again, and then, when I walked down to the second square—that is, one square above Main Street, on the right hand side coming from the bridge, we stopped there and could not get across to the machine, and just then—a very short time from that—the shots rang out, and I could not believe that they were shots, but there must have been, I should say, eight, and then the next thing that I saw—I was standing just about at the middle of the sidewalk—and about the middle of the street, three men turned back, that is, they were facing the main street, the parade, and they turned towards the bridge and out of the crowd, and just as they turned to come back a man called, "Is there a doctor in the line?" And I saw a tall man and two very much shorter men holding this tall man in the center, and he just fell over in front of me.

Q. Do you know who this was that fell over in front of you?

A. I do not.

Q. Did this happen at the point near where Mr. Abbott was shot?

A. It did.

Q. And did you see the shots fired?

A. I did not.

Q. And you only heard the shots?

A. I only heard the shots.

Q. You did not see anything coming from the gun from which the shots were fired?

A. I did not?

Q. Then what did you do?

A. Then the gentleman that was with me would not let me go over to the machine there, so we walked down the main street across the bridge on Fourth Avenue, and I stayed there until he got the machine and came down there.

Q. Then you did not actually witness the shooting of Mr. Abbott?

A. I did not.

EDWARD J. BROPHY, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Edward J. Brophy.

Q. What is your address?
A. 3423 Terrace Street, Pittsburgh, Pennsylvania.
Q. What is your occupation?
A. Lieutenant of Detectives for the City of Pittsburgh.
Q. Lieutenant Brophy, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. I do not know a thing about it.
Q. Were you present in Carnegie at the time of this shooting?
A. No, sir.
Q. Were you present at any time immediately following the shooting?
A. We arrived in Carnegie about 1:40, I believe, in the morning.
Q. Did you make any arrests in Carnegie?
A. Not in Carnegie; we made about fifteen arrests just outside the city line, and turned them over to the Sheriff.
Q. Who were these individuals whom you arrested?
A. I do not recall their names: we did not take their names, in fact.
Q. Did you search these individuals?
A. My men searched the car—Mr. William Sullivan and Frank Morgan—and found or seized about seven loaded revolvers.
Q. Were you in any way able to identify these individuals as having been participants in this riot?
A. Well, they admitted they were Klansmen and were in the parade.

MARTIN J. JOYCE, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. Martin J. Joyce.
Q. What is you raddress?
A. 621 Hiland Avenue, Carnegie, Pennsylvania.
Q. What is your occupation?
A. Railroad engineman.
Q. Mr. Joyce, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. Well, I came home from work that night at about 11:30, city time—10:30 railroad time—and went into a restaurant and ordered a sandwich, and in the meantime there was an awful lot of loud noise and people rushing in the street. I thought there was a fire and I got up and went out. There were four of us together and afterwards two of us were arrested. We went out on the street and walked up to the Glendale bridge, and on the bridge there was a parade stopped, and there was a car stationed there, loaded with men, and the car had a banner on it marked "K.K.K." I do not know whether that is the organization or not, but they were in this car, and they were beginning to push and shove, and the Sheriff of Allegheny County got up on the running board of the machine and made a speech and said that he wished that the men, as law-abiding citizens, would turn around and go back and he thought it would be the best thing to do in order to prevent any further trouble. I do not know who the sheriff was saying this, but it looked as though he had been a "pug" in his time and he had a flat nose—
Q. That is Mr. Dillon?
A. Well, I do not know his name, but after they stopped they did not go—a few of them turned and went—and I was standing near the side on the right hand side coming this way, going towards Main Street, and there was a few of the Klansmen turned around and went back and the auto started to back up. The men in the auto was willing to obey the Sheriff and turn back, but there were a few behind them that said, "No, we are not going back," and they pushed through the crowd and they had sticks—pretty long sticks to hit you with—I did not get hit with any, but I know there were a lot of them went down in the rushing and pushing and I went along with them, but I only had gone about a block when I met my father, and he said, "What the hell are you doing here?" And I said, "I am looking on just like the rest," and he said, "Well, you get the hell out of here," and I went on down and got in my car below the restaurant and went on down towards Main Street, and I saw a man that looked like a motorcycle officer and also the Chief of Police, and I stopped my car and he said, "Here is a doctor. Take this fellow to Glen-

dale," and I said, "All right," and we went up pretty fast—we went about sixty miles an hour through the front streets, with the cut-out open, and they had a white handkerchief hanging out of the car to show that there was a doctor in the car.

Q. You had a what hanging out?

A. They had a white handkerchief hanging out from the car.

Q. A white handkerchief does not always indicate that there is a doctor in the car.

A. Well, he did it, anyhow; I do not know what he did it for; when we got the man to where he was supposed to have been hurt, they said, "Take him home," and this man was taken away to his home, and we went on up to the top of Glendale, and when we got there there was another doctor by the name of Blume attending to him.

Q. Who was this other doctor?

A. Doctor Bernard Henning; we got him right in front of Squire McMillen's office.

Q. Does he live in Carnegie?

A. Yes, sir. Then I left the car standing in the street and a cop came over to me and said he wanted me, and I said, "All right," and I went to the jail. I do not know anything about any shots that were fired at all. I heard them three squares away, but I could not swear anything about who fired any shots at all.

Q. Were there any weapons in your car?

A. Yes, sir, there was a revolver and a shot gun; the shot gun was in there three weeks before, and the revolver was not any good.

WILLIAM P. YOCUM, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. William P. Yocum.

Q. What is your address?

A. 908 Ross Avenue, Wilkinsburg, Pennsylvania.

Q. What is your occupation?

A. Salesman.

Q. Mr. Yocum, you were not present at this hearing yesterday, I do not believe?

A. No, sir.

Q. I believe you live at the same house with Mr. R. B. Meyers?

A. Yes, sir.

Q. At any time did you examine a gun that Mr. Meyers had?

A. Yes, the morning after the riot at Carnegie. They were going away and he came up just as I was getting out of bed, and he showed me a gun and said he had got it down there, and asked me if I knew how to operate it. It was a German make of gun and I told him I did not understand anything about it. It was an automatic pistol, and that is the only thing I knew about it at all.

Q. Did he tell you how or where he obtained it?

A. If I remember correctly, he said he took it from some man at Carnegie at the riot.

Q. And did he tell you the circumstances surrounding when he took this gun—what happened just at the time he took it from him?

A. No, he really did not say anything at all other than to show me the gun and ask me if I knew anything about how to operate it and I told him, "No;" in fact, I was still in my pajamas at the time.

Q. Did you smell this gun at the time?

A. No.

Q. Are you familiar with guns?

A. I am, with the guns used by the United States Army, but they never used a gun of that make.

Q. You did not examine this gun particularly as to whether it had been fired or not?

A. I did not pay any attention to it at all.

Q. Did you examine it close enough to determine whether it was an automatic revolver or not?

A. Yes, because he threw the clip out; you could see where it had the clip out.

Q. Did you see that gun at any time after that?

A. Well, I do not think I did, but it seems to run in my mind that I saw it once after. It seems to me he had it for a day or so after that; in fact, I really was not interested in the incident and I did not pay much attention to it.

Q. Did he ever tell you anything about that gun afterwards?

A. No, except that—no, he did not, not directly; I talked about the Carnegie affair in accordance with the evidence given in the newspapers, but there was not anything came up after that between us in connection with the gun itself.

Q. At any time during that discussion did he tell you how he had obtained the gun?

A. No, he did not.

Q. Did he tell you anything about how he took it away from this man—the circumstances in connection with it?

A. No, he did not describe how he took it; he just said he took it.

Q. Well, you were with him when you were discussing this riot?

A. Yes, just in a regular way, according to the newspaper accounts.

Q. And at any time did he tell you just through what experience he went in obtaining this gun?

A. No, the only thing I ever heard him say was that it was an experience that he would not like to go through again.

Q. You mean in obtaining this gun or—

A. No, in discussing the riot. I believed he was referring to the riot.

Q. At any time did he describe to you the individual from whom he took this gun?

A. No, sir.

Q. You are pretty close to Mr. Meyers, are you not—that is you live in his house?

A. I live on the second floor and he lives on the first floor; yes, pretty close.

Q. How long have you known him?

A. About a year or fifteen month; just about that time.

Q. Has he discussed other subjects with you freely?

A. What do you mean?

Q. Well, just in general conversation—would he enter into a general conversation with you in a free way?

A. Oh, yes, he was quite free with anybody.

Q. Then there would be no reason why in this particular instance that he would withhold any interesting information, you might say, in the obtaining of this gun?

A. Well, I do not know anything about that, as I was not there, and, not being a member of the organization that was mixed up in this affair, I suppose he felt the same way as I did, as I did not want to get mixed up in it, to tell you the honest truth.

Q. Well, if you would obtain a gun by just picking it up from the street, that would be rather disinteresting?

A. Yes.

Q. But if, in obtaining this gun, it was necessary to use some physical force, in which possibly a person's own life might be endangered, you would be more apt to tell about that?

A. Oh, yes, surely.

Q. Did Mr. Meyers ever tell you just how he obtained this gun?

A. No, he never described just how he obtained the gun.

WILLIAM A. YOLTON, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. William A. Yolton.

Q. What is your address?

A. 313 Railroad Avenue, Carnegie, Pennsylvania.

Q. Mr. Yolton, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. When I arrived up there the parade was coming from the bridge and had started down the street, and about the time they got started there was an automobile and few men—"Ike" Irving and "Joe" Joyce—ran out into the crowd, and "Joe" Joyce got out. They went over on the sidewalk, and there were several of them helping to stop the machine and did finally back off and later went down Third Street towards Main Street, and in the meantime "Joe" Joyce throwed a brick into the crowd of the men as they were pushing their way through, and he hollered, "I will kill you Presbyterian — — —," and about that time there were a crowd of Klansmen started over towards the pavement against the pole, and some of the Klansmen pulled back into line and marched down the street, and I followed on down a piece and I heard some shots fired, and about that time I was too far away to see where these shots came from rightly, but I heard somebody holler and someone hollered for a doctor, and I could see them carrying a man off the street. I had to leave at that time, as I was on my way to work.

Q. Where were you at the time that you met Mr. Joyce and heard him make this statement?

A. On the sidewalk, near the bridge; not very far from the bridge.

Q. And how near was Mr. Joyce to you?

A. Oh, I judge about twelve or fifteen feet from me.

Q. And were there many other people there?

A. Oh, yes, there was quite a crowd around there; bricks and stones flying.

Q. And was there much shouting going on?

A. Yes.

Q. Were you doing any shouting?

A. No, not me; the only words I spoke was to stop the machine and not allow it to go any farther, as it would run over those men.

Q. How far were you away from this man that was shot?

A. Well, I cannot answer that exactly; I was too far away to see exactly where the shooting came from, but I heard them call for a doctor and saw them carrying him off the street; I suppose it was him that fell, but I could not say whether he went clear down to the pavement or not.

Q. When he fell, was he in the street or on the sidewalk?

A. In the street.

Q. How far from the curb?

A. Well, I judge about in the middle of the street.

Q. And how wide is the street at this point, Mr. Yolton?

A. There are two car lines on the street.

Q. There are two car lines on the street, are there not?

A. I would judge about thirty feet, but I do not know just exactly.

Q. Well, there are two car lines, are there not?

A. Yes, I believe there are.

Q. And on each side there is room for a car to travel—that is, an automobile?

A. Yes, I think there is; I could not say for sure whether they ever passed a street car or not.

Q. Does that look like the street? (Indicating on a photograph.) I will tell you that is Third Avenue.

A. Well, it looks a good deal like it, yes.

Q. Can you point out—do you recognize that alleyway?

A. No, I could not say that I do for sure.

Q. Are you very familiar with Carnegie?

A. I very seldom go up in that end of Carnegie.

Q. How long have you lived in Carnegie?

A. I have lived in Carnegie about seven or eight years.

Q. How far did you say you were from the bridge at the time of this shooting and throwing of bricks?

A. I was not very far away from the bridge; I suppose I was in the neighborhood of fifty or sixty feet from the bridge.

Q. On which side as you go towards Main Street?

A. On the right hand side.

Q. You would be over in here, would you not? (Indicating on photograph.)

A. Do I understand, is this Third Street coming up here?

Q. Wait a minute. That is the approach to the bridge coming down the hill and across the bridge here, and here is Third Street over here. (Indicating on photograph.)

A. Well, I was on the right hand side, coming down the bridge from Heidelberg; after you leave the bridge going towards Main Street.

EDWARD J. CUNNINGHAM, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Edward J. Cunningham.

Q. What is your address?

A. 329 West Main Street, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Oil and gas and service station.

Q. You mean you are in the automobile business?

A. Yes, sir.

Q. Mr. Cunningham, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, about 11:15 I was just about to close my place up, when a man pulled around in a car and got some gas, and said, "Why are you not down to see the riot?" And I said, "Where at?" And he said, "Down at Third Street at the bridge," and after he left and I closed up, I went down to Pine Alley—

Q. Is this what you call Pine Alley? (Indicating on photograph.)

A. That is the lower end of Pine Alley, going on to Third Street; that is one square above my place.

Q. Proceed.

A. So I went on down to Pine Alley, and as I got down there the parade was about on Second Avenue, on Third Street, coming down, and the crowd was very great coming down Third Street to Pine Alley, and I crossed over to the middle of the street and looked down, and in a minute or so that parade started to move again, and I went to the right hand side in front of Hammell's store and I stepped up on the second step at the entrance of the store, and I stayed there when the parade started to pass. There were probably fifty or a hundrd Klansmen had passed at Pine Alley and had stopped at Main Street, when a young fellow had stepped out from the other side of the street, down about five feet from the alleyway, and he pulled out a gun and fired four shots, and I stepped down off the step to get out of the rush. When they started to shoot the Klansmen started to shoot, too, and when this man was shot down he fell just like that. (Indicating.)

Q. And where were these shots fired from?

A. Why, they were fired about from five or six feet of this private alley, on the sidewalk.

Q. Is this Pine Alley? (Indicating on photograph.)

A. That is Pine Alley, and this is the store I spoke about right here, (Indicating on photograph.) and I crossed over the street and stayed there at those steps.

Q. Then the alley you refer to is across the street from you?

A. The private alley is between two houses.

Q. On the same side that you were?

A. On the same side.

Q. Who was with you at the time? Any one that you knew?

A. No; one man that I seen passing on the sidewalk, I met him when I came down from my place of business myself.

Q. Is that alley shown on that picture at any place? This is Third Avenue and Third Street. (Indicating on photograph.)—Dr. Jones' office. Can you see the alley on that picture?

A. No, this is too far up.

Q. I do not think we have that alley. This is at First Street.

A. It is a frame house and a brick house, and it is a private alley be-

tween the two houses, about three or four feet wide; it is a private alley.

Q. Is there a gate on this alley?

A. I think there is.

Q. And where does that alley lead to?

A. It leads to the back of Hammell's house.

Q. Can you get out on Pine Alley?

A. Yes, sir, after you go through.

Q. Where did you see the young fellow come from that fired these shots?

A. About six feet from the private alley, about in the middle of the sidewalk.

Q. He was on the sidewalk when the shots were fired?

A. Yes, sir.

Q. And about how far were you from this man, could you say?

A. I judge about twelve or fifteen feet.

Q. Could you describe the individual who fired the shots?

A. Well, he was a very small man, and very young looking; there seemed to be about two or three of them together.

Q. And where was the man standing, or where was the man that was shot at this time?

A. He was about probably two feet on this side of the first rail, that would be on the right hand side going through Third Street, and right direct in front of Hammell's store.

Q. Was there much of a crowd there at the time?

A. Why, the crowd had moved towards the front street; there was not such a big crowd—probably fifteen, twenty or thirty people around there at the time.

Q. Do you know Harry Albright?

A. I do.

Q. Did you see him standing there at the time?

A. I did not.

Q. What did this man do that fired these shots?

A. After he fired the shots he kind of went towards Pine Alley, along the sidewalk, and cut across the main street. The crowd had gathered around this man immediately after he fell, and he ran up Pine Alley towards Fourth Street.

Q. This is Pine Alley? (Indicating.)

A. Yes, but he went up this way, (Indicating) that is up, and he ran down.

Q. Did you see anyone take the gun from this man?

A. No, this man had the gun in his hand when he passed me.

Q. And how did he fire this gun?

A. Why, he just kind of stepped over to the curb and fired four shots as quick as he could; it seemed to be an automatic to me.

Q. Why do you say it was an automatic?

A. Well, it seemed to work so quick.

Q. Did you see him operate the gun?

A. No, I just noticed his hand going like that. (Indicating.)

Q. Do you know how an automatic is operated?

A. Well, no, I am not very familiar with them, very much.

Q. Was there any light at this point?

A. There is a light on Pine Alley on the—I think it is on the right hand side, near to the right hand side, extending out at an angle like that, (Indicating) from the pole.

Q. What did you do after that?

A. I stepped out to the curb and they picked this man up and carried him over to Dr. Jones, and I went over as far as Dr. Jones' office and I could not get in his office, as the crowd had gathered so big, going in there.

Q. Would you be able to identify this man that fired these shots?

A. I would.

Q. Have you since been able to identify this man?

A. No, I have never seen him.

Cross Examination by Mr. Estep

Q. Was it a man whom you had ever seen before?

A. No, I never seen him before; he looked like a foreigner to me.

B. L. BICKERTON, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. B. L. Bickerton.
Q. What is your address?
A. 315 Shaw Avenue, Clairton, Pennsylvania.
Q. Mr. Bickerton, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. Why, on this night of the parade there, we were back pretty well at the start, but when we came down to the Glendale bridge the procession was stopped for quite a while.
Q. You were in the parade?
A. Yes, I joined it at Glendale. They were stopped at the bridge for quite a while and we could not get across at this time, and somebody said that came back, said they had trucks and cars and one thing or another across the street. Of course, I could not see that at the time, and we had to wait quite a while, and there was rather an intelligent fellow standing along side there, and I asked him if he lived in Carnegie and he said he did, and I said to him, "Have you a Mayor in this town?" And he said, "Well, we do not have a Mayor, but we have a thing down there that they call a Burgess—"
Q. That is a matter of opinion. We do not want to hear any personal remarks made.
A. I thought you wanted me to tell you what I heard.
Q. All we want to know is the actual circumstances surrounding this shooting. It is not for you or anyone else to pass judgment on anything outside of those facts?
A. Well, we were held up there for quite a while, and in the meantime we could see a good many bricks and canes and one thing or another throwed from the other side of the Glendale bridge, and in the meantime the band, which was leading the parade, came back across the bridge and I asked some fellow in the band what the trouble was, and they said we would have to wait until we saw if we could go through, as they were trying to stop us, and I suppose we waited there for about twenty minutes, and after a while some of the Klan started back and some of them started across the bridge, and I was with a good many of them that started across the bridge, and finally we got stopped at the other end of the bridge and I tried to find some of the fellows that were leading the parade and they said they carried some of the fellows that had been hit with bricks, and some of them told me we were supposed to parade and some of them said we were not, and we proceeded up a little farther when some fellow came out of an alleyway there and shot three or four times. That is about all there was to it.
Q. How near were you to this alley when this man came out?
A. Well, there were about seven or eight rows of men ahead of me on the street.
Q. And did you see this man coming out of the alley?
A. I noticed him coming out of the alley and raising a pistol and firing three or four shots.
Q. Was he in the alley or out of the alley?
A. He looked to me to be just about at the alley, but just on the edge of the sidewalk.
Q. Do you mean he was on the curb?
A. No, about at the edge of the alley and the sidewalk.
Q. Do you mean on the building line?
A. Yes, there are buildings there.
Q. Well, what do you mean—when you come out of this alley there are two buildings there—
A. Just as the alley comes out to the sidewalk, coming out, it looks to me as though he was standing right at the edge of that.
Q. Maybe you do not know what I mean by the building line. By a building line is meant the line on which houses are built, and this line naturally would end at the point where the front of the building reaches the sidewalk.
A. It looked to me as though he was standing—of course I cannot swear to the exact spot—but it looked right on the edge of the sidewalk and the

alley; he was just about at the end of the alley on the sidewalk, from where I was standing, and the way it looked to me.

Q. Then you mean just as he would step out on the sidewalk from between the buildings?

A. Yes, it looked as though he was right on the edge of the sidewalk at the alley.

Q. Well, now, the edge of the sidewalk is over at the curb?

A. Well, that is one end and the other end is at the other side.

Q. And that is the building line?

A. Yes.

Q. And how far were you from him at the time?

A. A little farther than from here to the wall, I guess.

Q. That would be about twelve feet?

A. Yes, sir, about that.

Q. Could you see this man that fired the shot?

A. Yes, I got a pretty good look at the man.

Q. Could you describe him to the jury?

A. I could, if I saw him.

Q. Oh, yes, I could describe a man also if I saw him.

A. Well, he was rather tall and had dark clothes; I mean he was sort of a tall, slender man.

Q. Any other distinguishing features about this man?

A. Well, I do not know; I feel sure I could identify him if I saw him.

Q. Well, now, you said he was tall and had dark clothes. What other distinguishing feature did you notice on this man? You cannot identify a man by the fact that he is tall and had dark clothes on.

A. Well, he had a moustache.

Q. And what else?

A. Well, that is about all I could see on his face.

Q. And how did this man shoot?

A. Well, he just held the gun up and shot three or four times in succession.

Q. How did he hold the gun?

A. Well, just the way anyone would hold a revolver.

Q. And you say this man was a tall man?

A. Tall, yes.

Q. Just stand up and show the jury how this man held the gun.

A. He just stood up and held the gun like that. (Indicating.) and shot three or four times.

Q. Did you see the man fall?

A. No, I just could not see him fall; I saw them holding him there when he fell over; I saw them picking him up there; after this fellow shot, I heard one of the fellows say that one of the men was shot.

Q. At any time did you see the position this man was in when he was shot?

A. No, I could not say; he was standing up, the same as everybody else was.

Q. Was he in the street or on the sidewalk?

A. He was in the middle of the street.

Q. Then he would be at least twenty-five or thirty feet from the point that you saw this shot fired from?

A. Well, I judge that is about a thirty-foot street there, and I suppose he would be in the neighborhood of fifteen or twenty feet.

Q. Were there many people there at the time?

A. Just at this time there was not so many; there were a good many scattered along the sidewalk there, but at that point it was not so terribly crowded.

Q. Now, where were you standing in relation to the sidewalk?

A. Well, I was almost in the center of the road; there were eight men abreast, marching.

Q. You were in the street?

A. Yes, I was the third one on the right hand side.

Q. Now, I wish you would stand up again and just show the jury how this man fired the shot.

A. Well, he just seemed to raise the gun up like this. (Indicating.) and

shoot three or four times in succession.

Q. Is that the position in which he held the gun, taking into consideration his side?

A. Yes, sir.

Q. Just hold your hand up again.

A. About like that. (Indicating.)

FRANK J. MORGAN, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Frank J. Morgan.

Q. What is your address?

A. 2022 Plainview Avenue, Pittsburgh, Pennsylvania.

Q. What is your occupation?

A. City Detective.

Q. Mr. Morgan, on the morning of August 26th, did you make any arrests in or about Carnegie?

A. I did.

Q. And where were these arrests made?

A. I could not just say the exact location, but it was on the road leading into Carnegie.

Q. And were these arrests made of individuals going into or coming out of Carnegie?

A. Coming out of Carnegie.

Q. And what were the conditions under which these assests were made?

A. I was one of Lieutenant Brophy's squad, and we had orders to search persons and machines coming out of Carnegie, as there was a general riot down there, and in a number of machines we found revolvers.

Q. Who were these individuals in these machines?

A. Harry H. Matthews was one. He was driving a machine in which a twenty-five calibre Colt automatic revolver was found, and it was empty Another machine, driven by George E. Bartholomew, in which we found one United States revolver and one thirty-eight calibre revolver.

Q. Were they loaded?

A. Both loaded; in the one revolver, it carried seven shells, and there were six in the chamber.

Q. Did you examine the gun—did you smell the gun to determine whether it has been recently fired?

A. No, I could not say that I did.

Q. Were you able to determine whether these individuals had participated in this riot?

A. Well, the fact that they had revolvers on them, and that they admitted that they were their revolvers, led me to believe they were members of that general riot.

Q. But at no time were you able to determine whether they were actually in the rioting?

A. No.

C. R. MINOR, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. C. R. Minor.

Q. What is your address?

A. 615 Hulton Street, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Railroad fireman.

Q. Mr. Minor, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, I just got in that night off my run, and I heard there was a Klansmen parade in Carnegie, and I goes up and washes and changes my clothes and comes down, and the parade was stopped on the Glendale bridge, and a fellow by the name of Bill Wilhelm and I went up there together, and

there were some officers up there to stop the parade from coming through, and the Klansmen had stopped, because the marchers had blocked the highway, which was supposed to be a public street. Then an officer of the law said, "I will stop the — — — . Let me get through there with my machine," and he runs through and he knocked the Klansmen down. Then a sheriff came along and makes a speech to avert trouble, and ordered them to stop again, and then they stopped and started back, and at the time they started back, they started to throw slurs of all kinds against them—called them yellow — — — , the hundred per cent — , and all such stuff as that, and then they hesitated about a minute and then they made the motion to go through, and they came through in columns of threes, and I goes down in front of the Catholic church, and as I got to the Catholic church there was about a hundred Klansmen went past me down the street, and just at that time across the street there was a flash of a gun across the street through an alleyway, it looked to me, and then a Klansman fell in the middle of the street.

Q. Where did you stay at the time that the shooting took place?

A. Right straight across from the Catholic church.

Q. Where did the shooting take place?

A. It looked to me like it came from an alleyway; it passed me about ten feet west.

Q. And how many guns were fired?

A. Three—three direct shots.

Q. And how far were you away from where the shots were fired?

A. Right straight across from the Catholic church, which is about—I do not know how wide the street it—it looked to me like twenty yards, anyhow.

Q. That would be sixty feet?

A. Yes.

Q. Could you see who it was that fired these shots?

A. No, it was a tall, thin fellow; I could tell by the flash of the gun, and no more than he was through he bolted right away up the alley.

Q. And this man that fired these shots was where?

A. It looked to me like he was in an alleyway.

Q. How narrow was this alleyway?

A. It did not look to me to be more than six feet, in my estimation, from where I was at.

Q. Point out an object in this room to give us an idea of your estimation of six feet?

A. About from here to that bannister there. (Indicating.)

Q. That is a pretty wide alley?

A. Well, it is not quite so wide as that, but it looked that way to me, from where I was standing, across the street, and it was dark, at night.

Q. And you feel that you were twenty yards, or sixty feet, away?

A. It was right across the street; the bullet did not miss me more than—

Q. Did you see the first shot fired?

A. The first shot that was fired came just from the same place.

Q. Did you see the first shot that was fired, or were you attracted by it?

A. I was watching the Klansmen parading, and I was attracted by it, and I looked over just at the instant that the other two shots followed.

Q. Were you directly across the street from that alley?

A. I was directly across from the Catholic church.

Q. Answer my question. Were you directly across the street from that alley?

A. Yes, sir.

Q. And you say it was dark?

A. It was dark, yes, sir.

Q. And how rapidly were these guns fired?

A. Just like that, (Indicating). Three shots fired in succession.

Q. Take your hand and show us?

A. Just like that. (Indicating.)

Q. Then what happened?

A. Then I saw a Klansman fall in the middle of the street.

Q. And this man that fired these shots, did he remain in the alleyway?

A. No, sir, he went, I said, immediately.

Q. Could you describe this man?

A. No, I do not believe I could. It was a tall, slender fellow, as far as I

know; I could see by the flash of the gun; understand a revolver will make a flash.

Q. I know a gun makes a flash, but the average person that is standing straight across from where the flashes came from, does not stand and look directly at them?

A. I stayed there; I looked right at it and never flinched a bit. I went through the World War, Mister, and I stayed right there.

Q. I would not be casting any reflection on you if I would say that you left the place. I would be rather giving you credit for having good sense to get away rather than standing in front of them.

A. Well, the shots were fired at that time and I did not run.

Q. You must understand that you have stated that you were standing directly across the street from where this man was shooting?

A. Yes, sir.

Q. And that he was shooting probably right in your direction?

A. Yes, sir, he did not miss me by a whole lot.

Q. And you have already stated that he was in a dark alley?

A. Yes, sir.

Q. And you were able to give us a description of this man?

A. I just said he was a tall, slim fellow; I do not know him.

Q. You must not take any exceptions at all for a minute, or think that we are casting any inferences against your record whatever. If you were in the World War, you are to receive all the commendation in the world, but at this present instance it has nothing to do with the World War.

A. Well, I know, but I did not run at all.

Q. We did not say that you did run after the shots were fired. We are rather surprised that you stood where you did and stood your ground. That's all.

MARIE ZARZEMBACK, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Marie Zarzemback.

Q. What is your address?

A. 3111 West Main Street.

Q. Where?

A. Carnegie, Pennsylvania.

Q. Miss Zarzemback, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Yes, sir, on the night when the riot occurred in Carnegie, my girl friend and I were standing in the block between Third Avenue and Pine Alley, which is now called Barrett Way. We were standing on the right hand side of that passageway—that private alley—

Q. How wide is this private alley?

A. Oh, I do not know; it is about—

Q. Point out an object from where you are sitting to something in this room to give us an idea of the width of this alley?

A. Well, it is a little wider than this. (Indicating to the witness stand.)

Q. About three or four feet wide?

A. Yes, sir.

Q. Proceed.

A. After the first shooting occurred, a short while later a man stood about from here to that wall, (Indicating) from me and my girl friend, and the held up a revolver and he shot bang, bang, bang, bang, about five or six times, and the Klansman stopped, and I watched for this fellow after the shots were fired, and he turned and ran up past the Priest's Parsonage, up the alley towards West Main Street, to Carnegie, and I watched him, and then a crowd pushed me over to where the Klansman dropped, and they carried him into Dr. Jones' office, but I never saw anything more of that other man. He just ran up the alley.

Q. How near were you to this man that fired the shots?

A. About from here to that wall over there. (Indicating.)

Q. And where was this man standing that fired the shots?
A. He was standing about three feet from the curbstone, at the middle of the sidewalk.
Q. And did you see him operating this gun in any way?
A. Well, he just held the gun up, sort of—well, not all the way up—and just shot this way, (Indicating) real quick.
Q. Was anyone near him when this man was shot?
A. Well, there were a good many fellows with him; he was a young man, not an old fellow.
Q. Why do you say he was a young man? Did you look at him particularly?
A. Well, I watched him out of sight; he was a shabby-looking fellow; I judge he would be twenty-two, twenty-three, or maybe twenty-five years old.
Q. Were there any outstanding features about him that you noticed?
A. No, I never noticed.
Q. Who was with you at the time?
A. My girl friend—Mary Hanzel.
Q. How did you happen to be there at the time?
A. Well, that is just around the corner from where I live; I live on West Main Street, just six doors from the corner of Third Street.
Q. How long had you been there?
A. I just went over there when the parade was coming down Third Street.
Q. Did anyone tell you not to go out?
A. No, mother was in bed, and dad was in bed, and my girl friend was with me, and we just took a walk over to see the excitement.

PATRICK McDERMOTT, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?
A. Patrick McDermott.
Q. What is your address?
A. 419 Chestnut Street.
Q. Carnegie?
A. Carnegie.
Q. Mr. McDermott, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?
A. I was down the street, and in front of A. W. McMillen's office I saw a crowd, and I met Mr. McCabe, a friend of mine, and we stayed there, and he said to me, "Those are deputy sheriffs. They are looking for somebody." They were standing out near the street car tracks, and they were watching the cars going up. So after a while a motorcycle man came down and he spoke to those officers and they all left and went up street, and Mr. McCabe and I followed. So we went up to Third Avenue, and the crowds were gathering and going down toward the bridge, so we walked down towards the bridge, too, and there was quite a crowd there when we got there, and I said to one of the officers, "Is the parade coming through?" And he said, "We have no orders to stop them," and I waited until the Klansmen came down, and then the street was crowded with citizens, and more coming, so they came down and they pushed about twenty-five or thirty of the citizens back, and then a deputy sheriff he came up and he got up and demanded them in the name of the Commonwealth to go go back and return, and not go through the town, and then a Mr. Goldsmith—I am not acquainted with him—but he got up and told them not to go through the town, so they backed back onto the bridge, and there was a man leading them with an automobile, and I was standing over on the east side of the street and I saw a crowd—there is a crowd comes off the bridge and circled all the curbstones, and I saw that the automobiles must have been against the sidewalk. We had gone over there quite frequently with machines. I went over into the crowd and went to this man—to those men that were trying to move their car away from there, and I said, "Gentlemen, you are against the curb. You cannot push it back that way," so they let loose and some men skidded it free, and then they backed it back again and I walked over to the sidewalk. The Klansmen seemed to be backed back on the

bridge, and then they came through in football fashion and they knocked down everybody that was in the way, and they went up and the crowd followed them—Oh, about a hundred of them went up, maybe more—and Mr. McCabe and Mr. McGrey, the Burgess of Bridgeville, and I walked on up the street and followed along with the crowd. It was filled with people from curb to curb and from sidewalk to sidewalk, and when I got up to Third Street, just by Third Street, we were going up and—there is a Doctor Jones' residence and then there is a block of three houses, and then there is a small alleyway, about four feet wide, between Hammell's, the man that keeps the grocery store, and this block, and I just got to that point and the Klansmen shot, and —My God, it was the most terrific thing I ever heard;—and the women and the men and the children went into that alleyway, and I with them, in one grand rush. It was the most terrific thing I ever felt. My God, it nearly killed me! I went right through that place, and back of the houses there is another alley that goes out to Pine Alley or Barrett Way, and our business or stable is down about a square from that, on Barrett Way and Washington Street, and I went down there and stayed there. It was the most shocking thing I ever experienced.

Q. Did you have a gun in your hand, Mr. McDermott?

A. No, sir. I never carry a revolver. I have been in business thirty-four years, and have been in all kinds of places at all times of the day and at all times of the night, and I never carry a gun, as I never thought anybody would do any harm to me or would try to insult me.

Q. How near were you to this shooting when it took place?

A. I was on the sidewalk. I was walking up the sidewalk, and those people were in the street and they shot and I just happened to be there, and I felt "Safety First," and I went into that alleyway and the crowd followed.

Q. You did not answer my question.

A. I beg your pardon; maybe I did not understand.

Q. I asked you how far you were from this man—from the place where the shooting occurred—did you see the shots fired?

A. No, sir; no, sir.

Q. Did you see the man who was shot fall to the ground?

A. No, sir.

Q. You heard the shots?

A. No, sir, I just heard the Klan shooting.

Q. How do you know it was the Klan?

A. Well, it was the people that were in the street that shot, and that is what caused me to go through there.

Q. How did they shoot?

A. Well, I do not know that.

Q. Did you see anyone shooting from the sidewalk?

A. No, sir.

DANIEL McCABE, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Daniel McCabe.

Q. What is your address?

A. 408 Hays Street, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Motorman for the Pittsburgh Railways Company.

Q. Mr. McCabe, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Being engaged as a motorman for the Pittsburgh Railways Company, I got through work that day on scheduled time, at 4:03 and noticed at the car barn a young man there, dressed as a soldier, with side arms, and it was very amusing to me to see him there, so I walked up to my home and had supper early and went down as far as the car barn and stayed around there for an hour or so, and a great many machines were coming in the town and some of them had double crosses on, and a little white bow on others, and he was directing them which way to go, and I walked around town all evening, and after dark there seemed to be "Great excitement along Broadway," the Main street of the town, you know. An unknown man that we noticed he

had something marked "K.K.K." on his breast and undercoat, and he seemed to take charge of directing the way each machine should go—if you wanted to go right down Third Street towards the bridge he would let you go right ahead, and if you did not, he would chase you down some side street. The town was crowded—

Q. All this Court is particularly interested in is the circumstances surrounding the death of Mr. Abbott, so if you will just tell us what you know of that, please, Mr. McCabe.

A. Yes, sir. Well, going down street at half past ten that evening, I noticed some county detectives, whom I knew, and deputy sheriffs whom I knew, and the Burgess and the members of the Police Force, standing in front of the Burgess' office, and there I met a friend of mine that was telling me about his son being locked up, and I understood as he told me then, for being under the influence of liquor, and he detained me, as he was telling me his troubles, and there was a deputy sheriff standing there watching the machines as they passed, and then a motorcycle cop came along and Mr. Bauch and Mr. Shipley, the daylight sergeant, as I understand, hollored, "They are coming through from Glendale," and Mr. McDermott and I walked up the street and arrived at Third Street, and there was a Ford there that had them blocked and there was an appeal made there about twenty or thirty minutes after by a man that was pleading with them to go back, and Mr. Goldsmith was pleading for them to go back, and all at once there was an effort made to shove them from the street to the sidewalk by some of the Klansmen with guns in their hands and with torches in their hands. I seen an officer knocked down right in front of me, and the people on the sidewalk had stones there for a riot there, and the streets were congested with people, and, going down with Mr. McDermott not ten feet ahead of me and Mr. McCaffery and Mr. Connelly, and when we arrived in front of Saint Luke's Church and passed Dr. Jones' office, right in front of this row of houses, I think there are three, there was a shooting took place, and just as it started to take place I noticed Mr. McDermott going into this little alley like this (indicating), and I followed him into this alley; that alley was crowded and it was as dark as the devil in that alley; I could not recognize Mr. McDermott in that alley, but I know he went in, and I followed him and turned out into Pine Alley or Barrett Way, and Mr. McDermott started down towards his place of business and I started up towards Third Street and arrived at Third Street, and, going up the alley, I seen three shots in quick succession fired by a little man firing into that crowd, and then I started down Fourth Street towards Main Street.

Q. You stated that you went through this little alley, following Mr. McDermott?

A. Yes, sir.

Q. Then how did you come?

A. I came to the left and ran about thirty-five feet—walked fast or ran—and just arrived up to Third Street and seen the shots fired.

Q. Third and what?

A. Third and Barrett.

Q. Why did you flee away from these shots, and then so suddenly return to the same place?

A. Curiosity took me up to that place in the first place.

Q. Curiosity took you up to that place?

A. Yes, I wanted to see what the officers were going to do, and when I got in that alley and seen what was going an, curiosity took me back up to the same place again.

Q. And then where did curiosity take you to?

A. Then I walked down to Main Street and turned to the right and seen there was some confusion in Roach's butcher shop to where some of the men had been carried. Then I walked back up street and seen arguments here and there, and seen a woman in a machine arguing with a man, and saying he should have no business throwing bricks at the American flag. I did not see any bricks thrown at the American flag.

Q. How far were you from the second shooting that you refer to—how far were you from this point where the shooting took place?

A. I was about thirty-five feet, I would judge; I would figure that this is a double house store and I had just come out of the corner of the alley at this store when I saw the shooting. I did not see the man very good who

was shooting and seen no man shot.

Q. Where was this man standing?

A. This man was standing about in the middle of the sidewalk, near that alleyway, in the center of the pavement—the sidewalk. I did not see this man—I seen just the flash from there; he was a small man.

Q. Why do you say he was a small man?

A. Because if he would have been a tall man I would have seen his head.

Q. It was dark at the time?

A. Dark; real dark; I could not recognize him if I did see him, it was so dark; I judge that is the darkest spot all along that street.

Q. You are judging the height of this man from the point that you observed the fire?

A. Yes, sir.

FRANK W. SCHAEFFER, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Frank W. Schaeffer.

Q. What is your address?

A. 433 Noblestown Road, Carnegie, Pennsylvania.

Q. What is your occupation?

A. Garageman.

Q. You run a garage?

A. Yes, sir.

Q. At what point do you have this garage?

A. At Barrett Way and Second Street.

Q. Mr. Schaeffer, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, I was sitting in front of the garage, and saw a lot of people running towards the Third Street bridge from my garage, and Mr. Page and I were together, talking at the garage, and we started to run, too, and got up as far as the Third Street bridge, and I thought I would get up on sort of a balcony on the bridge, or an abuttment, and watch the parade going up, but when I got there there was an immense crowd there, and they pushed me right up against the machine—a lot of curious people, the same as myself, I guess—and they pushed me right up against the Klansmen's machine, and I thought, "Well, here is a good place for me to get out of here," and I had to get out of the way of the Klansmen's machine, and I crawled over and got on the Sheriff's car—Deputy Sheriff Rush and Goldsmith and Jack Dillon—Jack Dillon was giving a speech when I got on the Deputy Sheriff's car, so they went past, then, and then they decided they would go past the Sheriff's car, and Dillon said, "We will have to get in front of them again, and how will we get around them," and I said, "I will direct you," and we went up around Washington Avenue, and I got off at the garage again.

Q. And did you see the shooting?

A. Absolutely not; I saw the man after he was shot and was taken to Dr. Jones' office; that was just before the Coroner came and took him away.

MARY HANZEL, having been duly sworn, testified as follows:

Examination by the Coroner

Q. What is your name, please?

A. Mary Hanzel.

Q. What is your address?

A. No. 8 Dunlap Street, North Side, Pittsburgh, Pennsylvania.

Q. Miss Hanzel, will you tell us what you know of the circumstances leading up to the death of Thomas R. Abbott?

A. Well, my friend and I—

Q. Who was your friend?

A. Marie Jarzemback. We were on the right hand side of this alleyway, and the Klansmen were marching down towards Main Street, and they could

not make much headway and they were doing everything possible—shooting and heaving clubs and doing everything to get the people out of the road—and we were watching and they started—

Q. Do you mean to tell the jury that you stood there while all this was going on?

A. We stayed there, watching all this going on, and the Klansmen started shooting, and we backed up against the porch and then someone from the middle of the sidewalk shot five or six times into the Klansmen and one of the Klansmen dropped, and this fellow that shot was a little taller than I am and had dark hair, and made his get-away around Pine Alley and Barrett Way, but I could not see where he went to.

Q. Now, where do you live?

A. No. 8 Dunlap Street, North Side.

Q. And have you been in Carnegie very often?

A. My home is in Carnegie, but that is where physician is, on the North Side.

Q. And where is your home in Carnegie?

A. No. 47 Pressley Avenue, Cabbage Hill.

Q. That is in Carnegie, is it?

A. Yes, sir.

Q. And how long have you lived in Carnegie?

A. About nine years.

Q. And are you familiar with this district in which you work?

A. Yes, sir.

Q. How old are you?

A. I will be nineteen on the 18th of February.

Q. Did this shooting and this swinging of clubs and throwing of bricks not alarm you?

A. No, sir, I did not see a riot before and I wanted to see it and I stayed; I did not mind watching on; I did not want to see it, but I was willing to watch it.

Q. You are rather young to be out on the street at twelve o'clock at night during riots?

A. I was, but the crowds were there and I did not mind watching and I wanted to stay.

Q. When this shooting commenced, did you not think it was time for you to go?

A. When this shooting was going on it was time for me to go, but I did not, and I thought I might get into a worse place than I was, standing right there against the building.

Q. If you were shot you wanted to have something to fall up against? How far were you from this man that did the shooting?

A. About ten or twelve feet.

Q. And where was this man standing?

A. He was in the middle of the sidewalk.

Q. Was his back to you?

A. No, he was just the way I am sitting now; he was facing the curb, just like I was.

Q. Well, now, point out to us the relative position of yourself and this man that was doing the shooting?

A. The fellow was this way, (indicating) and the Klansmen were down in front, and I was right here, (indicating) and the fellow that was shot was on the left hand side, and the man that shot was on the right hand side.

Q. We have not got that right yet. What is your business? Do you work over on the North Side?

A. Yes, sir.

Q. Now, just go a little slower, so we can get the location of where you were standing in relation to this man. You were on the sidewalk?

A. Yes, sir.

Q. And the men were coming down the middle of the street?

A. Coming down.

Q. Were you facing these men as they were coming down the street?

A. Facing the Klansmen?

Q. Well, were they Klansmen?

A. I was facing them all; they were right ahead of me; I was against the building.

Q. And they were making towards you?

A. Coming my way.

Q. And this man that did the shooting—was he on the same side of the street as you?

A. The same side; the right hand side.

Q. That is, the right hand side coming from the bridge?

A. Coming from the bridge, yes, sir.

Q. And was this man between you and the Klansmen?

A. He was not; he was about ten or twelve feet down that way. (Indicating.)

Q. Down that way? We do not know what you mean by down that way? —Towards the bridge?

A. No, towards Main Street.

Q. Then you were off to one side, but you were between the marching Klansmen and the man who shot?

A. No, sir, I was on the right hand side coming from the bridge on the same side as the man that shot.

Q. Were you walking along or were you standing?

A. We were standing.

Q. And had the Klansmen passed you yet?

A. Yes, sir, they had passed; some of them had already passed.

Q. This man that shot was nearer Main Street than you were?

A. Yes, sir.

Q. And then his back would be to you?

A. No, sir, because I was looking down that way, and he was the same way, with his back towards the store.

Q. Towards you?

A. Towards me and towards the Klansmen.

Q. How many shots were fired?

A. Five or six.

Q. Did you see just what this man did when he fired these shots?

A. I did.

Q. What did this man do?

A. He was not a tall fellow, and he had his revolver and he just went bang, bang, bang, bang, real quick; he did not hold it high, he was a short fellow.

Q. Then what did you do?

A. I was watching what he would do then. He went down in front of the store and ducked through the Klansmen, and I saw he was short and had dark hair, and had no cap or hat on.

The Coroner: I will read the report of the Autopsy which was performed on this body on August 26, 1923, by Dr. H. G. Kuehner.

"By order of Coroner W. J. McGregor I performed an autopsy upon the body of Thomas R. Abbott lying in the Allegheny County Morgue, Pittsburgh, Pennsylvania.

"The body was that of a well nourished, well developed, young, adult, white male, five feet nine inches in height and approximately 160 pounds in weight. Post mortem rigor and lividity were entirely absent.

"Examination of the body showed a round perforating wound one-fourth inch in diameter in the right temple about one and one-half inch posterior to the external angle of the right orbit. From this the blood oozed in small quantities. There was also a small transverse laceration of the scalp just to the left of the mid line at the vertex of the skull three-fourths of an inch in length.

"The left eyelids were grossly swollen and ecchymotic. Beyond these there were no marks of gross violence to the body. It was interesting however, to note the abundance of tattooing present. On the outer surface of the upper right arm there was tattooed the head of a Japanese girl suspended in a cob web. On the volar surface of the right forearm there was tattooed a cross with wreath and headstone inscribed 'In memory of my father.' On the anterior surface of the right thigh was tattooed a one-half inch in length a reproduction of the character known as Mutt in cartoons while on the anterior surface of the left thigh was tattooed a

reproduction of Jeff. On the outer surface of the left arm was tattooed a rose and beneath it inscribed 'true love.' On the dorsum of the left was tattooed a pig, a rooster and a moon, beneath which were the letters—BEVOAPABM.

"On opening the skull there was found to be a great quantity of blood in the culvarium. A missile had taken a course from the point of entrance in the right temple, horizontally to the left, piercing the right hemisphere of the brain and grooving the under surface of the left hemisphere and the left sphenoid bone to shatter out a small portion of the squamous portion of the left temporal bone, inner table. The roof of the orbit had been broken by the missile. From the area in the left temporal bone a 32 calibre, lead-nosed bullet was removed. The bullet had been irregularly sheared and chewed due to striking the bony structures. The base was grossly distorted and disfigured. There were irregularly sheared projections protruding from the top to the sides and beyond the base. The initial K was placed on the side of the bullet.

"On opening the body cavity the contained viscera were found to be healthy in every respect.

"H. G. KUEHNER, M.D.

"Sworn to and subscribed before me this 29th day of September, 1923,

"W. J. McGregor, Coroner, Davidson, C.C."

THE CORONOR: Gentlemen of the jury: I want you to understand in no sense is the Coroner's jury or a Coroner's Court hearing in any sense a trial. It is simply to determine the facts in this particular case of how, when and where Thomas R. Abbott came to his death. The evidence as presented at this hearing has established beyond a doubt that there was a riot—that is established. The evidence is conclusive that there was a riot. The evidence is also conclusive that there was an individual shot, who was Thomas R. Abbott, and died. The evidence as presented is conclusive beyond a doubt as to where this man was shot—that is, the point where the man was at the time the shots were fired. The evidence that you must consider, which has been presented to you particularly, is how this man was shot. The evidence is conclusive as to where he was shot. Consider carefully the evidence as presented at this hearing as to where the individual was who fired these shots. If, from the evidence that you have heard, it shows that any individual or individuals fired that shot, that individual or those individuals should be held for murder. If that evidence is conclusive.

TESTIMONY CLOSED

(COPY)

State of Pennsylvania, Allegheny County, ss.

AN INQUISITION, indented, taken at Carnegie Borough and First Ward, Pittsburgh, in the County of Allegheny, on the 26th day of August and 28th and 29th days of September, A. D., 1923, before me, W. J. McGregor, M.D., Coroner of the County aforesaid, upon the view of the body of Thomas R. Abbott, then and there lying dead, upon the oath and solemn affirmations of six good and lawful men of the County aforesaid, who, being sworn and affirmed and charged to inquire, on the part of the Commonwealth, when, where and how, and after what manner, the said Thomas R. Abbott, came to his death do say, upon their oath and affirmations aforesaid that the said Thomas R. Abbott, born about 26 years —months—days, Nationally, American, Social Relation, Married, Machinist, and residing at Atlasburg, Washington County, Pennsylvania, came to his death in Dr. F. B. Jones' office, 432 Third Street, Carnegie, Pennsylvania, on Sunday, August 26, 1923, at 12:15 A. M., from shock and hemorrhage, following gun shot wound in the head, received at the corner of Third and Main Streets, Carnegie, Pennsylvania, on the same day and date, at 12:1 A. M., from gun in the hands of person or persons unknown to the Jury.

And from the evidence and Post Mortem Examination made, the Jury finds death was due to the above cause, and recommends that the said person or persons be apprehended and held to await the action of the Grand Jury upon a charge of murder.

And so the Jurors aforesaid, upon their oaths and affirmations as aforesaid, say that the aforesaid Thomas R. Abbott, for the cause aforesaid, in the manner and form aforesaid, came to his death, and not otherwise.

IN WITNESS WHEREOF, as well as of the aforesaid Coroner, we the Jurors, have hereunto put our hands and seals, on the day and year and place above mentioned.

W. J. McGREGOR, M.D., Coroner
R. A. MONTGOMERY
T. VAUGHAN
J. D. ACKLEY
GEO. KRAUSS
HENRY McEWAN
RICHARD A. BRICKLEY

CHAPTER III

MRS. ABBOTT SEEKS JUSTICE

The next step in the legal proceedings to find the person or persons responsible for the murder of Klansman Abbott and the fatal Carnegie riot came Thursday, October 18, 1923, when Mrs. Emma Abbott, sorrow-stricken widow of the slain man, appeared in the office of Justice of the Peace W. H. Prosser, of 618 Collier Avenue, Stowe Township, near Carnegie Borough, and signed an information charging Patrick McDermott, Carnegie undertaker, with the murder of her husband.

Shortly after her appearance in Justice Prosser's office, Harry Conn, of Burgettstown, Pa., signed informations charging 15 residents of Carnegie with inciting riot and rioting. The individuals named were: John F. Conley, Burgess of Carnegie; Ira "Ike" Irving, Carnegie Constable; Timothy O'Donnell, William Leacock, Michael S. Hayes, William E. Melley, Raymond McKenna, James McIntyre, Anthony Scrowe, Steve Burdis, "Butch" O'Donnelly, Joseph Joyce, William K. Flaherty, Lawrence Kemmel and Joseph Hays. These were all arrested, and later released under $2,000 bail each.

Previous to signing the information charging McDermott with her husband's murder, Mrs. Abbott entered civil suit against Allegheny County for $10,000 damages, for alleged lack of protection the night of the fatal attack.

Act No. 183, passed by the 1923 session of the Pennsylvania State Legislature, is given as the basis of the civil suit by Mrs. Abbott against Allegheny County. The text of Section 7 of the act follows: "That the putting to death, within any county, of any person, within the jurisdiction of the county by mob or riotous assemblage of three or more persons, openly acting in concert, in violation of law, and in default of protection of such person by such county or the officers thereof, shall be deemed a denial to such person by such county of the equal protection of the laws, and a violation of the peace of the commonwealth and an offense against the same.

Section 8. "That any person participating in such mob or riotous assemblage by which such person is put to death, as described in the section immediately preceding, shall be guilty of murder.

Section 9 (in part). "That every county in which such unlawful putting to death occurs shall be subject to a forfeiture of ten thousand dollars, which may be recovered by action therefor in the name of the commonwealth, against such county for the use of the dependent family, if any, of the persons so put to death."

TESTIMONY GIVEN DURING McDERMOTT HEARING

The full testimony given during the hearing of McDermott, on the murder charge, Friday afternoon, October 26, 1923, before Justice Prosser, follows:

Justice Prosser: I understand, Mr. McDermott, that a charge is made against you at this time by Emma Abbott, of murder.

Attorney Robb: I want to take exception in this case that there is no charge against him for anything, the record is blank, there is no charge made against him for any crime under the calendar.

HARRY ALBRIGHT, having been duly sworn, testified as follows:

Q. Mr. Albright, I want you to tell us in as few words as possible just what you seen happen on the night of August 25th on Third Street.

A. Yes, sir.

Q. Who you seen and what you seen pertaining to this case.

A. Yes, sir. Well, on the morning of the 26th I was strolling down Third Street and as I came to a private alleyway between Hammell's store and a brick row of houses, several shots came out of the alleyway and I saw "Paddy" McDermott standing with a gun in his hand and I cried, "You dirty — — — —, shooting out in a crowd that way." Just then he slammed the gate and I kicked it open again, then two more shots came out and Abbott

fell to the ground. Patrick McDermott is the man that done the shooting.

Attorney John Robb (for the defense): Where do you live?

A. 407 Crick Street.

Q. What ward is that in?

A. I guess that is the second ward.

Q. What is your occupation?

A. Railroader.

Q. What about the railroad?

A. Car inspection at the Carnegie yard.

Q. For the Pan Handle Division?

A. Yes, sir.

Q. How long have you lived in Carnegie?

A. About 18 years.

Q. Where did you live before you lived in Carnegie?

A. Glenwood.

Q. Glenwood, in the City of Pittsburgh?

A. Yes, sir.

Q. Whereabouts in Glenwood?

A. Second Avenue.

Q. Were you married when you lived on Second Avenue?

A. No, sir.

Q. Are you married now?

A. Yes, sir.

Q. Of what does your family consist?

A. Do I have to tell you my family affairs?

Q. Answer me.

A. That is my personal affair.

Q. Of what does your family consist?

A. That's my business.

Q. Do you live with your wife?

A. Yes, sir.

Q. Was she living with you on August 25th?

A. Yes, sir.

Q. Any one in your house that night when you left?

A. Any one else?

Q. Was there anybody besides your wife in the house that night?

A. No, sir.

Q. Are you sure that there wasn't another woman in that house that night?

A. Yes, sir.

Q. You're sure of that?

A. Yes.

Q. What time were you on duty?

A. I was supposed to be on duty about 11:30.

Q. What time did your report card show you went on duty?

A. I won't answer any more questions.

Q. If you reported at 11:30, why were you at the riot?

A. I walked away after signing in on duty.

Q. And does it show you reported at 11:30?

A. I'm done with you.

Q. You can lie in some things but not in others. You can't do that all the time and get away with it.

A. I'm not lying, I'm telling what is true.

P. Answer the questions yes or no. What time did you leave your house that night?

A. About 11:15.

Q. And where did you go?

A. Down to Third Avenue.

Q. How did you leave your house? Were you in a machine that evening? Answer me, were you in a machine that evening?

A. I got my machine later.

Q. Were you at the Carnegie Trust Company that evening and were you put in there by two officers?

A. No, sir.

Q. Weren't you there about 11:20?

A. No, sir.
Q. I want the truth.
A. I am telling the truth and nothing but the truth.
Q. Were you put in there by two officers and held there until about a half or three-quarters of an hour after the shooting?
A. No, sir.
Q. Didn't you talk to anyone down there?
A. There were a couple of guys—
Q. Oh, they were guys were they?
A. I don't know who they were, there was one fat fellow. I don't know his name.
Q. Did you go down in a car and did you leave that car until about three-quarters of an hour after the riot?
A. I didn't leave the house in the car, I went back later and got the car.
Q. And then when you reported that you were on duty at 11:30 that was not true?
A. At 11:20 I reported for duty.
Q. You were not sitting in your car at that time?
A. I was sitting in no car.
Q. You weren't? Did any person talk to you on Chartiers Street?
A. No, sir.
Q. No one talked to you?
A. No, sir.
Q. Where did you get your car?
A. I went home and got it.
Q. And when you came out, it was after the riot, about 1 o'clock?
Q. Isn't it a fact that you were in this car until about twenty minutes past one?
A. I was at the riot about twenty past eleven.
Q. Why were you there?
A. That is none of your business.
Q. What were you doing there?
A. I went up to see the parade coming down the street.
Q. Did you have any knowledge that the parade was coming?
A. I was told that it would.
Q. Who told you that?
A. Mr. Swartz told me that the parade was coming down through Glendale.
Q. And where were you the early part of the evening?
A. Carnegie Hill, watching the doings up there.
Q. And how long had you been there?
A. Since about seven o'clock.
Q. Were you in the field?
A. No, I wasn't in the field, just out on the lot.
Q. Were you doing guard duty or something? What was your business there?
A. Sightseeing.
Q. And was it the same business that took you to Third Street?
A. Yes.
Q. That is what took you away from your business?
A. Yes.
Q. Then when you said you reported on at 11:30 that was not true? That report was not true? That report on the 26th day of August was false. Is that right?
A. I turned my time in from 11:30 of the 25th to the morning of the 26th.
Q. And you turned it in as constantly on duty?
Justice Prosser: Isn't that with the railroad company?
Attorney Robb: You haven't so much credibility Mr. Albright, not so much as you think you have, according to one woman. I don't know what the other one will say. Now, sir, were you out of that car one single minute from the time you took it up until possibly one o'clock?
A. It was after the riot that I got in the car.
Q. Were you out of that car from the time you parked it up at the Trust Company until fifteen minutes of one o'clock. Answer yes or no.

A. Yes.
Q. Where did you go?
A. Right to the Trust Company corner. I saw Chief Keisling. I do not know what time it was.
Q. Was it about twenty minutes after 11 o'clock?
A. It was after midnight when I got the car.
Q. I'm asking you if it was about twenty minutes after 11 o'clock when you were sitting in your car at the Trust Company?
A. It was around about one o'clock.
Q. Weren't you in your car about twenty minutes after 11 until about fifteen minutes of one o'clock, and weren't you told to sit there by an officer?
A. No.
Q. Are you sure of that?
A. I am sure.
Robb: Answer the questions yes or no.
A. You are asking me a lot more than you should.
Attorney Robb: I'll ask as much as I want and you can tell the truth about it or you can lie about it.
A. I am telling the truth. What I saw I can say and nothing else.
Q. What time was it you say you saw Mr. McDermott in front of Dr. Jones' office?
A. I didn't see him in front. He was around there about midnight.
Robb: You can tell the time. You're a railroad man.
A. It was a little after 12 o'clock.
Q. How long after you reported on duty was it that you saw Mr. McDermott?
A. About one-half hour.
Q. About what time was this man shot?
A. After midnight.
Q. How do you know?
A. It was about a half hour after I reported on duty.
Q. You didn't know anything about that until ten minutes of one o'clock until you asked Dan McCabe.
A. I never saw Dan McCabe.
Q. Did you tell Mr. McCabe?
A. I never talked to him, and if he said I did he's a liar.
Mr. McCabe: And he's a liar.
Attorney Robb to Spectator: No, you're not in the stand yet, you're not going to get on the stand.
Q. Where did you go with your car after you had it released?
A. I went to Dr. Jones' office and took a couple of Klansmen up on the hill.
Q. What time did you take these Klansmen up?
A. I don't have a watch in my hand always.
Q. What time did you take these Klansmen up and how long was that after—
A. I'm through.
Q. I'm here defending this man and you'll answer my questions, I know my rights.
A. And I know my rights, too.
Q. Your car was not released from Chartiers Street until after one o'clock, and you say that you were not in that car all evening—
A. You get me right—
Q. Were you in that car all the time? Yes or no—
A. You let me explain and I'll tell you where I was all evening.
Q. The only time you were out of the car all evening was when you went down to take the Klansmen up on the hill?
A. It was after one o'clock before I went away. Is that all?
Robb: I'm not certain whether it is or not.
I want you to keep quiet.
Keep quiet or—
Put him in jail.
Witness: I hope they put McCabe and I in the same cell. (At this point Mr. McCabe remonstrated.)

Justice Prosser: Dan McCabe, leave this room.
Robb: That's all for the present.

FRANK DOBBS, having been duly sworn, testified as follows:

Justice Prosser: What is your name?
A. Frank Dobbs.

Prosser: Will you tell us what you saw on the night of August 25th?
A. On August 25 near midnight I was coming down Third Street and right at this alley between a store and a house there were shots fired from this alley, and just as I got to the curb a bullet went right by my back and I said "It's a — of a place to shoot from," and I saw Mr. Albright standing right against the building and heard him say, "It's Patt McDermott."

Robb: Cross that off the records.

A. I was right there and saw him.

Q. I object. Go on.

A. Well, I turned around, there were a few more shots fired and I saw them picking Mr. Abbott off the street. I left there and went to Dr. Jones' office and I saw McDermott there about twenty minutes after this had happened. Then I went down street to Chartiers Street and the policemen were in charge and told us to keep moving. So I went down and I saw him again going into Gallagher's Hotel, and so I went home and went to bed.

Q. Is that all?
A. That's all.
Q. Was Patrick McDermott in the doctor's office?
A. No, outside the office.
Q. What time was that?
A. It was after twelve o'clock.'
Q. About how much after twelve.
A. Fifteen minutes.
Q. About fifteen minutes after the shooting?
A. Yes, sir.
Q. And you saw Mr. Patrick McDermott in Dr. Jones' office where this man lay dead?
A. No, outside the office. There was a crowd in the office and we couldn't get in.
Q. How long was it after they carried him in until you saw Mr. McDermott?
A. About ten minutes.
Q. Can you point him out? (Mr. McDermott, stand out.) Is that Patrick McDermott?
A. That's the man (pointing to Barney McDermott.)
Q. Is that the man you saw?
A. Yes, sir.
Q. Well that's Barney McDermott.
A. That's the man I saw.
Q. Now, you're not so sure what happened at that alley, you said it was Patrick and now you say it was Barney? And now you say that you were wrong?
A. I seen that man standing there.
Q. But that man's Barney.
A. That's the man I saw.
Q. You saw him in the alleyway?
A. Did I say I saw him?
Q. You didn't know.
A. No, I didn't see anybody in the alley. I was too far away when the shots were fired.
Q. Was there anyone with McDermott when he went to Dr. Jones' office?
A. No, sir.
Q. Now you couldn't be mistaken?
A. No, sir.
Q. And that man is Barney McDermott. That's the man you saw, and is that the one you thought should be indicted for murder—is that the one that you thought was guilty of shooting that Klansman?

A. I thought his name was Patrick McDermott. I know his name is McDermott—I don't know whether it is Patrick or Barney.
Q. Why didn't you find out?
A. It was none of my business. I heard Mr. Albright say it was Patrick McDermott.
Q. Where do you live?
A. East Carnegie.
Q. Where in East Carnegie?
A. Whiskey Run.
A. Up by the Wabash bridge.
Q. On the other side?
A. Between that and Portland.
Q. And how long have you lived there?
A. About twenty-five years.
Q. That's all.

B. F. HELINGS, having been duly sworn, testified as follows:

Justice Prosser: What is your name?
A. B. F. Helings.
Q. Mr. Helings, were you in Carnegie on August 25th?
A. Yes, sir.
Q. Do you know anything of this case that is now pending?
A. Yes, sir.
Prosser: Tell us in as few words as you can just what you know and what you seen happen on the night of the 25th.
A. On the night of the 25th I happened to be at the head of that parade. We marched down the street to the bridge—we stopped a couple of times. As we got to the side of the bridge we were stopped and there was some arguing, and some Klansmen were hit there at the bridge. We started again and went through a mob of men, I judge I got two squares and a half down the street as shots started to fire in every direction. I saw a flash on my right, I judge maybe eight or ten feet from the sidewalk—there were Klansmen between me and the sidewalk—I noticed the flash on my right, it drawed my attention and I saw a man shooting, as that flash came Mr. Abbott dropped against me and I looked at that man and he shot again and I stooped over to pick Mr. Abbott up and I heard another shot fired and right before that shot was fired a shell hit me on the hand. I identified that man to the Coroner two or three days after the riot, I give him his description. I picked a man in the office and Mr. Dyer I think it was, was there. I told him what the man looked like, about how old he was and what kind of features he had, and so on, at that hearing, and also give the description at our headquarters of that man and at the hearing at Anderson's office I identified the man.
Q. Could you identify the man?
A. Yes, sir. I helped to pick Abbott up, carried him to Dr. Jones' office, I had a hold of his left side. We tried to get into a side door but had to go around the other way and there was kind of a porch and we carried him in and there was a dentist's chair that we laid him on. I stayed in that office I guess practically eight or ten minutes and I was hurt myself and went out.

Cross Examination

Robb: Could you identify the man that you seen firing the shots?
A. Yes, sir.
Q. Point him out.
A. That's the man (indicating McDermott).
Q. That man?
A. This man here (pointing to McDermott)?
Q. Is that the man you identified at Alderman Anderson's office on the 20th day of September in the afternoon?
A. I am not certain of the day.
Q. You saw me there?
A. Yes, sir.
Q. You saw me talking to Reverend Mills,—you saw me standing talking with Mrs. Kimmel of Carnegie,—you saw me talking with this man and you saw me talking with this young man, Mr. Hines, and we were in close con-

tact with each other and you came up and asked this man, Mr. Hanney, to point out Mr. Patrick McDermott in my presence and in the presence of the others? You asked him, didn't you?

A. No, sir.

Q. Did you ask and did they point to McDermott, and when you went on the stand did I ask you then if you hadn't? Answer yes or no.

A. No, sir.

Q. And you said you never saw him until Hines pointed him out?

A. I never said that.

Q. Not in your dialogue?

A. No, sir.

Q. Do you mean that you weren't asked?

A. Yes, I was asked that question.

Q. And you asked in the presence of five witnesses? You didn't?

A. Yes, sir.

Q. You swear to it?

A. Yes, sir.

Q. And you say nothing that was done by them aided you in your identification of McDermott?

A. Yes, sir.

Q. And if you are swearing falsely and if that is a material point in this case you are guilty of perjury, do you know it?

A. Yes, sir.

Q. Now fully understanding that you are liable to wilful perjury, do you now say that you did not go to this Mr. Hanney, Mr. Hines, Mrs. Kimmel and in the presence of Reverend Mills and asked that question?

A. No, sir.

Q. You say you didn't?

A. No, sir, I did not.

Q. That is all.

B. L. BICKERTON, having been duly sworn, testified as follows:

Justice Prosser: Mr. Bickerton, were you in Carnegie on the night of August 25th.

A. Yes, sir.

Q. Tell us in as few words as you can what you know of the case.

A. That night I was in the parade and we came down to the bridge. That was the first place that we were stopped. I was in the back at that time and we were held there quite a while, but finally they got started across the bridge, some went and some came back. I went through and we finally got lined up on the other side of the bridge and went a couple of squares or more when this shooting took place in this alley. It was a small alley, I do know the streets here, I was never here before. After the man shot he went back down the alley.

Cross Examination

Robb: Did you see the man shoot?

A. Yes, sir.

Q. Can you identify the man?

A. Yes, sir. The man—

Q. Point him out?

A. That's the man (indicating McDermott).

Q. You mean the man sitting down?

A. Yes, sir, next to the window.

Q. You identify him as the man who done the shooting at the alleyway?

A. Yes, sir.

Q. Did you tell any of the officers that story?

A. No, sir.

Q. Did any of the officers see you?

A. No, sir.

Q. Did you see Coroner McGregor?

A. Yes, sir.

Q. Where were you interviewed before that case was over, and did you in that interview place your position so far back from the center of the alley-

way and Third Street that the Coroner said, "We don't want you and will not call you."

A. No, sir.

Q. What did he say to you? What happened?

A. He told me I was to be recalled.

Q. And then there was an interview? Weren't you told that they didn't believe you?

A. I never told you that.

Q. You live in Clairton?

A. Yes, sir.

Q. And that time when you were interviewed your picture was taken while you were standing in the hallway?

A. I know it was.

Q. All right. You were standing against a railing. Did some man talk talk to you while you were there?

A. Yes, sir.

Q. No one else?

A. Yes, sure. I talked to several.

Q. And you weren't recalled?

A. No.

Q. Where were you—what file in that parade?

A. What file?

Q. Yes.

A. I didn't know it was a file, I was about seven rows back, if that is what you mean.

Q. About seven rows back from that alley? Were you back further down the street from Dr. Jones' office on the corner?

A. I was just about seven rows back of where this alley came out.

Q. And were you about seven rows back of where this Klansman fell, and the men were about six to eight feet apart?

A. We were closer than that.

Q. How close?

A. Not very far apart.

Q. Were they closer than when you were in Glendale? You came down Lincoln Avenue and turned to the left, how far apart were the files then? I am talking about Washington Avenue, it is the first flat street.

A. We were closer together at this time than we had been before.

Q. Were you that far back when you got to Mrs. Henry's—when you pulled your masks down?

A. We didn't pull any masks down.

Q. You didn't pull yours?

A. No, sir.

Q. Do you know where Mrs. Henny's place is Well, we'll say one-half mile away from where this occurred on the bridge?

A. No, we didn't break any ranks, I was there all the time.

Q. The trouble occurred down at the bridge and you were how far back?

A. I was at this end, at the Glendale side of the bridge when something happened up further front.

Q. Were you at the Glendale side when the first trouble occurred? Were you at the Glendale side of the bridge when the Sheriff was shot and the first shots were fired?

A. I didn't see any trouble until I got across the bridge.

Q. How many shots did you hear all evening?

A. When I was at the Glendale end I heard several shots. They were on the other side of the bridge.

Q. Many shots?

A. I heard some shooting.

Q. How many do you suppose?

A. I don't know.

Q. How many do you think you heard altogether? Four hundred, five hundred, six hundred?

A. There were a lot of bricks throwed.

Q. No. I am talking about shots. How many did you hear?

A. Several shots.

Q. Several dozen?

A. I don't know, I heard some shots.
Q. How many would you think altogether? Did they seem to be shooting everywhere?
A. I heard a dozen or more.
Q. Was that about all that were fired?
A. Yes.
Q. And where were they fired from? Could you see any of them?
A. After I got across the bridge, shots came out of this alleyway. I didn't see any other shots before I got across the bridge.
Q. You didn't see any across from a window in the second floor?
A. Not at this time.
Q. You didn't see anything of that sort, any shooting from windows?
A. No.
Q. What is your business?
A. I am in the retail ice business.
Q. Where?
A. Clairton.
Q. And lived in Clairton about how long?
A. I lived in town about four years.
Q. Married or single?
A. Married.
Q. That is all.
A. Yes, sir.

CHRIST KEISLING, CHIEF OF POLICE of Carnegie Borough, having been duly sworn, testified as follows:

Justice Prosser: Mr. Keisling, did Mr. Albright, on the night of August 25th make a statement of any kind to you? In as few words as you can, tell us what happened on the night of August 25.

A. That's leading up to the shooting, your Honor?

Q. Yes.

A. Well, on the night of August 25th, McMillen, Geisler and I were together during the time of this trouble at the bridge.
Q. Who are McMillen and Geisler?
A. County detectives. Geisler got lost from us at the first, and after the Klansmen had broken through and went towards Main Street, I was coming within a hundred feet of Dr. Jones' office when I heard four shots from a pistol, then in a minute or two after there were three shots fired, and either one or two after that, I could not determine. Then the jam got so bad between Dr. Jones' office and the main street that McMillen and I walked around to Third Avenue to the Main Street. There were some Klansmen standing there and I seen one or two had blood upon their clothes, so McMillen and I looked at the men and I asked if they had got an ambulance for these men. So in the meantime there was a man in Dr. Jones' office that was dead. So we walked down to the office and seen the man, McMillen and I could not identify him so we talked it over and sent in a call for help and reported the condition of Carnegie, and after that was over we went down and McMillen told me there would be some men to give us help. I got to Chartiers Street in Carnegie and there was somebody taking care of traffic, so a gentleman by the name of Albright came across and asked me if he could get up Main Street and I told him that the parade was stopped and he could proceed, then I went over to the jail and met Chief Braun who had come at that time, and the flying squad from Pittsburgh, and just then a patrol of blue coats came out. They asked me what I wanted done. And I said, "Scatter them and send them home." I goes up to the Carnegie Station and Albright came across and said—

Q. Wait a minute—not what he said.
A. But I wanted to tell you that is how I come to know about how this shooting was done.
Q. That is not evidence. Not what anyone told you.
A. What do you want me to tell you? I'm through.
Mr. Prosser: There was a statement made to this man which he has a right to tell.
Q. No. That man is here and he has no right. Counsel for Mrs. Abbott

will tell you that there is no such right to repeat what someone else said unless in the immediate presence af the defendant. That's all, chief.

ROBT. BRAUN, Chief of the Allegheny County Detectives, having been duly sworn, testified as follows:

Justice Prosser: Chief, tell us what you know of what happened on the night of August 25th.

A. Well, I was not in Carnegie at the time of the riot, we were at the office and probably got into Carnegie at one o'clock or after, more possibly it was after one, and then learned of the killing and began an investigation as to who done the killing, and my only information that night was what I received from Mr. Albright in the McDermott matter.

Attorney Robb: Don't tell what he said about McDermott, that is a matter for the court to decide. I object to any hear-say evidence.

Q. Chief, did any one make a statement to you regarding the killing?

A. Albright was the only man that made a statement with connection to the killing.

Q. You are Chief of Detectives of Allegheny County, and immediately upon hearing of this riot at Carnegie (and it is admitted that there was a riot) and immediately upon your getting knowledge of the riot you brought a large force of men to Carnegie and I believe you had them on duty in Carnegie for two or three weeks?

A. I assigned four men to work out the case that I learned of that night, which is a copy of this sheet here, and they were able to work out lots in regard to the riot but not anything with regards to participants.

Q. That testimony has been given twice and in each instance you know that it wasn't enough to hold anyone for riot.

A. I didn't attend either hearing so I do not know anything about it—Is that all?

Q. I might say, Mr. Braun, that even after the discharge at the Alderman's office and the discharge in the Coroner's office that you in the official capacity still have this case and are working on it, and if you are ever satisfied that you have a case free of doubt that person will be arrested as sure as the sun rises in the morning?

A. Absolutely.

Q. And thus far you have none?

A. We gave all ours to both magistrates, the Coroner, and the Justice.

Q. That's all.

C. R. MINOR, having been duly sworn, testified as follows

Justice Prosser: Tell us in as few words as you can just what you know of the case of the night of August 25th.

A. I watched the parade that night and was up at the bridge, and when the Klansmen stopped down by Third Avenue I heard three shots from across the street and seen a Klansman fall. I seen some tall fellow go back through the alley. I couldn't describe him.

Attorney Robb: That's all you know?

A. Yes, sir.

Q. Mr. Minor, how long have you been a railroader?

A. Since 1910, on and off.

Q. That's all.

M. W. SWARTZ, having been duly sworn, testified as follows:

Mr. Swartz: I don't know anything about this only what I heard.

Q. Only what you heard?

A. Yes, sir.

Q. That's all, Mr. Swartz.

* * *

Under the evidence given by the Commonwealth against Patrick McDermott, I must, under my oath, hold him for Court to answer the charge lodged against him.—Justice Prosser.

Mr. Patrick McDermott, under the evidence given on the charge preferred against you, I will hold you for the November term. Officer, you will take charge of the prisoner.—Justice Prosser.

CHAPTER IV

THE NEXT STEP

At the hearing of John Conley, Burgess of Carnegie, Friday, November 16, 1923, before Justice Prosser, Conley was held for Court on a charge of inciting riot. He was held under $500 bail, which was furnished by his Attorney, John Robb, and he was released from custody.

The complete testimony given during Conley's hearing follows:

APPEARANCES

For the defense—Attorney John Robb, Pittsburgh, Pa.

For the prosecution—Attorney W. G. Negley, Pittsburgh, Pa.

Justice Prosser: Mr. Conley, you have been charged before me on the charge of inciting a riot.

THOMAS W. LEWIS, having been duly sworn, testified as follows:

Direct Examination by Attorney Negley

Q. Mr. Lewis, what is your full name?

A. Thomas W. Lewis.

Q. Where do you reside?

A. 137 Main Street, Carnegie.

Q. Are you acquainted with Mr. Conley, the defendant?

A. Yes, sir.

Q. What is his official position in this borough?

A. Burgess of Carnegie.

Q. Did you have any communication with Mr. Conley in the Moose Temple immediately prior to August 25th?

A. No, sir.

Q. In the Elk's building?

A. No, sir. Not that I recall.

Q. What happened between you and Mr. Conley that night?

A. Nothing between us directly.

Q. What did Mr. Conley say in your presence?

A. To explain the case—on the Thursday night prior to the rioting several of us were down in the grill room of the Moose Temple. My friends and I were playing pool and as we finished we walked across the room to where Mr. Conley was talking to a group of men. I didn't pay much attention until Mr. Conley said—

Q. What did he say?

A. Just a minute, please. He says, "If they attempt to parade through this town without a permit from me we are going to shoot. We have some gunmen coming from Pittsburgh." Just then one man seemed to think it was a joke and that he was just kidding and said—"You're getting dangerous" and Conley said—"and I have a machine gun and if we shoot they will not be wounded, they'll be dead."

Q. That was on Thursday?

A. Yes, the fourth Thursday of the month after the lodge meeting.

Cross Examination by Attorney Robb

Q. That was at the Moose Lodge, Mr. Lewis?

A. In the grill room of the Moose Temple.

Q. And that club is visited only by members of the Moose Lodge?

A. Yes, sir. Presumably so.

Q. And as a member of it you endeavor to see that its rules are enforced, do you not?

A. Yes, sir.

Q. And Mr. Conley made the remarks in the grill room that you said he made, and made them to those members of the Moose Lodge?

A. Yes, sir.

Q. You know of no one, members of the lodge, that participated in the riot?

A. No, sir, I know nothing about the riot.

Q. You know of no one outside of the Lodge who was present and could have heard these remarks?

A. No, sir.

Q. And you know of not one who took part in that riot who was incited to riot by reason of Mr. Conley's remarks?

A. No, sir.

Q. And you likely would know if there were any members of the Lodge who took part in the riot?

A. No, I think not.

Q. But you do know that you have no knowledge that any remark that Mr. Conley made in a lodge that is visited only by its members, no one who was incited to riot by reason of that remark?

A. No, sir.

Q. Whether he said he had thirty guns or not had no influence, so far as you know, on the boys—

Attorney Negley: Just a moment, please, the witness has very frankly said he didn't know.

Attorney Robb: And unless something that he said was responsible for somebody participating in the riot then there is no such thing on the part of Burgess Conley as inciting a riot. Now, Mr. Lewis, you sit in council with Mr. Conley?

A. Yes, sir, I am a member of the council.

Q. Now, Mr. Lewis, when he said that he had guns out here, or guns coming out here—what was his exact language?

A. I'll have them out here. I'll have thirty of the biggest guns out here. I didn't pay much attention to it, I assumed he meant gunmen.

Q. You assumed he meant that?

A. Yes, sir.

Q. But from your hearing of that and your casual observance of the conversation, your impression would be that he meant he would have thirty guns or gunmen, or cops, or policemen, or something in that line?

Attorney Negley: But, Mr. Robb, he has already said he meant gunmen.

A. Gunmen, yes. And then he said he had a machine gun. He said, "I also have a machine gun, and if we shoot there won't be any wounded, they'll all be dead."

Q. But that was all said predicting that they might attempt to parade in the town masked, gowned, and without a permit?

A. I can't say anything about that part of it.

Q. You couldn't say?

A. I just said what I heard.

Q. You heard him say—"if they parade without a license—"?

A. Without a permit.

Q. This is not to bump the Lodge, but was it more than one-half of one per cent that night?

A. I can't answer that—I don't indulge in that sort of thing. There was what we call beer.

Q. The same kind I drink when I'm in there with you?

Q. When Mr. Conley made the remark you say he made, you said what to him?

A. Someone in the crowd said, "My, you're getting dangerous," or something similar, and Conley said, "By God, gentleman, I mean it, and when we shoot they won't be wounded, they'll all be dead." The man standing beside me said that he was getting kind of reckless and that he shouldn't talk like that in a public place. We thought it strange.

Q. But personally you didn't pay a bit of attention to it?

A. I paid a lot of attention to it after I heard him say they were going to be shot.

Q. Did you know at that time that arrangements had been made with the Sheriff of Allegheny County, and the police officers of Pittsburgh, and the County Detective Force, to give aid?

A. I did not.

Q. To help keep down any disturbance that might happen in Carnegie?

A. No, I don't know anything about that.

Q. Were you up in the neighborhood of this riot?

A. I was up on W. Main Street, no I wasn't near the riot. I went down that way, when a crowd came rushing out, and I thought this was no place for me, and went back.

Q. There were dozens of Deputy Sheriffs and thirty or forty policemen, of Pittsburgh, in Carnegie that night?

A. I presume there were. I saw them after but not during the riot.

Q. But of those present in that Lodge, or of those who heard the remark that you attribute to Mr. John F. Conley, you know of no one who was incited by reason of that remark to engage in an unlawful—

Attorney Negley: Just a minute, Mr. Robb. He has already answered that twice by saying that he didn't know anyone who was in it.

Attorney Robb: Do you remember who all were there?

A. I remember several.

Q. Mr. O. H. Higley, our borough engineer?

A. Yes, sir. In fact, he and I were standing together talking. We had just finished a game of nineteen and came over to this group, and I didn't notice what they were saying until Mr. Conley made that remark.

Q. Who else was there besides Mr. Higley?

A. M. H. Conrad.

Q. Who else?

A. There was a gentleman there from Ohio, I don't remember his name, I think it was Todd, he was inaugurating a fund for the Moose. Then A. W. McMillen was in that group and a man by the name of Vivis, but I can't name any more, there were four or five more.

Q. And of all these you have named you know of no one who was led to participating in the riot by reason of the remark that Burgess John Conley made that night?

A. No, sir.

Q. That's all, Mr. Lewis.

O. H. HIGLEY, having been duly sworn, testified as follows:

Direct Examination by Attorney Negley

Q. Your full name is O. H. Higley?

A. Yes, sir.

Q. Where do you reside?

A. 600 Gormley Avenue, Carnegie.

Q. And what, if any, official office do you hold in the borough of Carnegie?

A. Borough Engineer.

Q. Were you present in the Moose Lodge on Thursday night prior to August 25th?

A. I was.

Q. In whose company were you?

A. Mr. Lewis.'

Q. Did you hear any remarks made by Mr. Conley in regards to a projected parade in the Borough of Carnegie the following evening?

A. I did.

Q. What were the remarks you heard made?

A. I heard him say, addressing Squire McMillen, that he understood that the Ku Klux Klan were to have a parade in Carnegie on Saturday night, and he said, "Squire, if they parade without a permit from me, I can get thirty gunmen from Pittsburgh and they will be loaded to the teeth," and just then someone made some remark about him biting off more than he could chew, and he said, "If it is necessary I can get a machine gun."

Q. Were those his words?

A. No, those are my words.

Q. What was the remark that was said to him, if you remember it?

A. Well, they made some remark that brought on this other. I can't remember just the words.

Q. And in response to that remark Mr. Conley said what?

A. He said that he could get a machine gun if necessary.

Q. How many people were within hearing at the time he made that remark?

A. There were three of us, Mr. Conrad, Mr. Lewis and I, and Squire McMillen was standing there.

Q. Any others?

A. Oh, yes, several more, I remember this man from Ohio.

Q. You don't know his name?
A. No, I don't know his name.

Cross Examination by Attorney Robb

Q. Mr. Higley, you know the people, generally, in the Moose Lodge?
A. I do.
Q. Did you see any one in that Lodge who were not members?
A. I did not.
Q. Did you see anyone that was in the Lodge that night, who was present when Mr. Conley made these remarks, that was suspected of, or has been charged with any riot or unlawful assembly?
A. I know nothing about the riot.
Q. You know of no one who was present who has been charged with riot or unlawful assembly?
A. I don't think so.
Q. So far as Mr. Conley's remarks were concerned they were without impression on anyone that you know of in the group?
A. Yes, sir.
Q. And there would have been no chance to incite any of those present?
Attorney Negley: That's not cross examination, that's merely an opinion and Mr. Higley is not here as an expert, except on engineering.
Attorney Robb: You know of no one who paid any attention to the remark?
A. Yes, sir, I heard several say about it being an awful statement.
Q. But of those who paid enough attention to it to say that do you—
Attorney Negley: Just a moment, the witness has already testified that he didn't.
Attorney Robb: I know, but that is the crux of the case, and if no one acted by reason of anything he said, then he is not guilty of inciting a riot.
Attorney Negley: Mr. Robb, I allow your right to ask that question the first time, but when the witness says he doesn't know—but go ahead.
Q. Mr. Higley, so far as you know no member of the Moose Lodge has been charged with inciting riot?
A. I don't know of anyone.
Q. If one of them had been, under the principles of the Loyal Order of Moose, you and I as members would know of it?
A. I couldn't say.
Q. Wouldn't you think if they were in distress, that you would hear of it?
Attorney Negley: We are not going into the Moose history.
Attorney Robb: That's all, Mr. Higley.

CHRIST KEISLING, having been duly sworn, testified as follows:
Direct Examination by Attorney Negley

Q. What is your full name?
A. Christopher Henry is my full name.
Q. Do you know Mr. Conley?
A. Yes, I do.
Q. What, if any, official position do you hold in Carnegie?
A. Chief of Police, Borough of Carnegie.
Q. On the day prior to August 25, 1923, what, if anything, did Burgess Conley say to you as Chief of Police, concerning the projected parade in the town of Carnegie?
A. That's the evening following the riot?
Q. Preceding the riot.
A. Well, Friday, August 24, the evening before the parade, Burgess Conley had me and four of the other men meet in the lock-up and he talked on different things of the borough, the way things were carried out and what the officers should do, and now coming to the business of the day, he said, "There is talk that there is going to be a parade come through here Saturday evening, August 25. I have issued no permit for the parade, they have asked for no permit, they wouldn't have gotten it if they had asked, and we are going to take steps to stop this parade if it comes." And he said to get the fire truck out, and, of course, the Fire Chief wasn't there and left word with me to see the Chief and go around the route over which the parade was to come and connect

the fire hose. If they came by auto we were to stop them, and if they were marching we were to stop them. And he said if there were any emblems on the machines besides the American flag we were to take them off.

Q. What use did he instruct you to make of the hose?

A. To turn it on the men whether in the machines or walking.

Q. And what instructions did he give you to transfer to the Fire Chief?

A. He told me to see the Chief the following morning and we were to get the location of the parade.

Q. Did you give these to the Fire Chief?

A. I told him what the Burgess told me.

Q. What instructions did he give you and your men?

A. He said he would be out in the evening after office hours, after six o'clock, and would be with me in my car and give me my orders.

Q. Did he give you any orders that night?

A. That evening he talked it over first in the jail with us, and he asked me my opinion and I called up the Pittsburgh Office, and also the Deputy Sheriff that following afternoon, and we talked the thing over that evening about eight o'clock, and the Burgess asked us what we thought was the best thing to do, whether he should leave them come through or stop them, and I told him he was the Burgess. I did think the parade should come through as long as they didn't do any harm. And at that time we were to leave the parade come through.

Cross Examination by Attorney Robb

Q. When you were called into the lock-up by Mr. Conley it was for the purpose of a conference and advising with you?

A. Yes, sir.

Q. And advise with you what you thought ought to be done?

A. That is, what he wanted done.

Q. He asked you if you thought it ought to go through and you advised you thought it should?

A. Yes, sir.

Q. Now, Mr. Conley said that you should confer with the Fire Chief and get the hose out to keep them from coming through?

A. Yes, sir.

Q. That was to keep them from getting into Carnegie where a riot might ensue. His object was to keep them out, wasn't it?

A. I don't know what his object was—he said to break the parade up.

Q. To keep them from coming in the Borough of Carnegie?

A. Yes, sir.

Q. And wasn't Mr. Conley's object purely to keep them from coming into Carnegie and parading?

Attorney Negley: I don't think you have the right to ask him that, he has already answered that he doesn't know.

Attorney Robb: From what he said and did wasn't that his object, Mr. Keisling?

A. I can't tell you his object, just the orders that he gave.

Q. Didn't he say, "Chief, you know the tense feeling that there is in the Borough of Carnegie?

A. He may of.

Q. "You know the tense feeling caused by the foolish preaching of a gentleman on Washington Avenue—"

A. No, there wasn't anything like that talked of.

Q. Didn't he say that this preaching had stirred up the Irish, and didn't he say, "Now keep these people out of the town or there'll be trouble"?

A. To my knowledge, he did not.

Q. Did he ever tell you there would be trouble if they came to town?

A. No, I don't think he did.

Q. Then he wasn't apprehensive of any trouble?

A. I really don't know. I'm not sure that he knew there was going to be a parade.

Q. Did he do any one thing in all the time he talked with you other than to attempt to keep the people away?

A. Do you mean on August 25th?

Q. Yes.

A. On the 25th the Burgess was with me until about 11 o'clock, and we were standing in front of A. W. McMillen's office when this parade hit Glendale bridge.

Q. You were all down town?

A. Yes.

Q. And the object was to stop them from coming over lest there be trouble?

A. He said, "Now you've got them stopped keep them stopped."

Q. And didn't he say, "Now you've got them stopped, keep them stopped, because there are a lot of Irish here and you know these Irish"?

A. No, he just said, "Now you've got them stopped, keep them stopped."

Q. And had they stopped and had you held them stopped there would have been no riot?

Attorney Negley: That's another opinion, Mr. Robb.

Q. And did the officers of the law, the Sheriff and twelve or fifteen of his deputies, and a number of police go to that bridge and ask them to desist, and tell them to stay there in the name of the law?

A. I did not hear that. I saw the deputies go up there.

Q. And did you see the Burgess, did you see Mr. Conley?

A. I saw Mr. Conley when he spoke to me at the Third Street bridge.

Q. And when he spoke to you he wasn't inciting a riot but was attempting to prevent one. What were the words he said?

A. He said, "Now you've got them stopped, keep them stopped."

Q. That's the only command that you ever heard John Conley, this young lawyer and our Burgess, say at that time?

A. Yes, sir, at that time.

Q. And that was most excellent judgment, and had it been adherred to there would have been no riot.

Justice Prosser: The Attorney for the Commonwealth refuses to have the witness answer that question. That is a matter of opinion.

Attorney Robb: But had they been held at bay as directed there would have been—

Attorney Negley: I object to the term "at bay"—they were not a bunch of burglars.

Attorney Robb: Well then, had they been held "at creek" there would have been no riot?

Attorney Negley: I object to that question, that is merely an opinion from the witness—

Attorney Robb: Mr. Negley, we think we owe a duty to a fellow man and to be fair to him we should ask the questions that touch and relate to this affair without any niceties.

Attorney Negley: Mr. Robb, we want to go further than you, but to ask a man to give an opinion as to what might happen under certain circumstances is out of the question.

Attorney Robb: There was not any riot while you held them "at creek"?

A. No, I didn't notice any.

Q. That's all, Chief.

GEORGE WISE, having been duly sworn, testified as follows:

Direct Examination by Attorney Negley

Q. Mr. Wise, where do you live?

A. 660 Dow Avenue, Carnegie.

Q. What is your official position in the Borough of Carnegie?

A. Patrolman.

Q. Were you present on August 24th when certain instructions were given to you and other officers by this defendant, Mr. Conley?

A. Yes, sir.

Q. Who were the others present at that time?

A. The Chief of Police, the Burgess, Sergeant Davis, Officers Netzel, Box and myself. I got word that the Burgess wanted to have a talk with us between 9 and 9:30 I judge, I can't say for sure—

Q. Then what was said ?

A. Well, in the first place he talked about the business of the day and what was going on in Carnegie pertaining to the Police Department, and then

he says, getting down to the business of the day, there's supposed to be a parade tomorrow—I don't know whether he said the Ku Klux Klan or not, but meaning them he says, there wasn't going to be any parade, he wanted the parade stopped.

Q. Did he say he wanted the parade stopped?

A. He said there was going to be a parade, and if the machines had three K's on them, make them take them off, and if they won't, lock them up.

Q. What else did he say?

A. He said to have motorcycle men keep in communication with the assembling place and the jail and if they left the place in the formation of a parade, to notify police headquarters and get up there and stop them.

Q. Now I asked you before—did he give any reason why he didn't want them to parade?

A. Well, not that I heard, he did not.

Q. Did he at any time say to you that he wanted it stopped for fear there might be trouble come out of it?

A. No.

Q. Did he say anything at all in your presence indicating to you officers that he feared a riot or was trying to avoid a riot?

A. Well, the only thing that I mind of him saying was that there wasn't going to be a parade, they had no permit, and that if anything started, to stop them, but don't shoot until the time comes, and then shoot to kill.

Cross Examination by Attorney Robb

Q. But his whole object was to prevent a parade and to prevent a riot?

A. I don't know.

Q. He told you that the feeling was very tense in Carnegie by reason of some preaching?

A. No, I never heard that.

Q. Didn't he?

A. I didn't hear it.

Q. Didn't he say something about somebody having stirred up the Irish?

A. No, sir.

Q. But he told you to—

A. He said if they attempted to parade on the streets of Carnegie with K.K.K. on the cars to take them off, or if they wouldn't permit that, to bring them to the Police Station.

Q. That was for the purpose of keeping down trouble?

A. I don't know anything why it was.

Q. There were thousands of people on the street that night.

Attorney Negley: Mr. Robb, we are talking about the night before August 25th.

Attorney Robb: I am talking about the 25th.

Attorney Negley: This witness hasn't been asked anything about the riot.

Attorney Robb: Were you up there?

A. Yes, sir.

Attorney Negley: That is not cross examination.

Attorney Robb: All right, it is not, but if you don't want the exact truth—

Attorney Negley: Go ahead then. You're trying to put me as unfair.

Attorney Robb: But I am representing a decent young man and I think it should be honest. All right, Mr. Wise, that will be all. (Wise leaves the stand.)

Attorney Negley: Now, Mr. Robb, I want Mr. Wise to come back, and you ask him any question you want about what happened on the 25th.

Justice Prosser: Mr. Wise, take the stand.

Cross Examination by Mr. Robb

Q. And had you met the cars that attempted to come into Carnegie with the insignia of the Ku Klux Klan upon them and had you followed out the orders and had them come through quietly—

A. I don't know anything about the riot, I was suspended at that time. I had nothing to do with orders whatsoever.

Q. I would like to ask a question—no, I won't.

Attorney Negley: Go ahead, provided it isn't an expression of opinion.

Q. You said you were suspended at that time?
A. Yes, sir.
Q. Oh, well, that's all, George.

WILLIAM DAVIS, having been duly sworn, testified as follows:

Direct Examination by Attorney Negley

Q. Mr. Davis, where do you live?
A. 541 Washington Avenue.
Q. What is your official connection with the Borough of Carnegie?
A. I act as Desk Sergeant.
Q. On August 24th were you present when the Burgess gave instructions to the police officers?
A. Yes, sir.
Q. Just what were the instructions as you remember them?
A. Well, to start his instructions he asked them if they were members of the Klan. He asked each one separately but he didn't find one in the room.
Q. Then what?
A. Then some general talk, and they were speaking about the prospective parade and he told them that he wanted that parade stopped—he wanted it stopped at all hazards, even if he had to order the Fire Department out, and I heard him give the Chief of Police instructions to notify the Fire Chief to have the hose cart in readiness to go to work.
Q. Just what do you mean by going to work?
A. To play it on the Klansmen—that if they couldn't stop them any other way to have the hose put on them.
Q. All right, what else was said?
A. That was about all I heard.
Q. Do you remember where the hose cart was to be in readiness?
A. I don't know. I heard him tell the Chief of Police to go down and request the Fire Chief to have it ready.
Q. And what action were the police officers to take?
A. They were told to stop the parade at all hazards. Stop them if they could.
Q. And what instructions were given concerning flags and insignias?
A. I heard him say to tear off all flags except the American.
Q. Was the word "tear off" used?
A. I think it was.
Q. Or "pull down"?
A. I don't know.
Q. During those instructions, Mr. Davis, did the defendant at any time say that he was doing this as he thought it might avoid trouble?
A. I didn't hear him say so.
Q. Did he at any time say that the parade should be stopped at the Borough line because he feared it might incite the people of Carnegie?
A. The Borough line was not mentioned—he said he wanted it stopped.
Q. He gave no other reason?
A. No, sir.

Cross Examination by Attorney Robb

Q. Did he say, "You know, boys, the feeling is very tense here now"?
A. He did not.
Q. How far away from the officers were you?
A. I was within ten feet.
Q. Do you think nothing was said about the feeling being tense?
A. No, sir.
Q. But did he say, "You know those Irish, boys"?
A. I didn't hear anything like that.
Q. But didn't he say, "You know those Irish"?
A. I don't know.
Q. Could he have said it without your hearing?
A. I don't think so.
Q. And the instructions that he gave would have been splendid if followed out, and had the officers been able to cope with the crowd. You know

how the three officers would be with thousands of people. But they did their duty and more than their duty.

A. I didn't see anything at all on the outside, or hear anything.

Q. Were you there that night?

A. I was at the desk all night until five o'clock in the morning.

Q. You said that he didn't say anything about any line?

A. He said they shouldn't go through Carnegie.

Q. And he said, "You fellows do your duty to keep them out"—and had they been able to do so there would have been no riot?

Attorney Negley: I don't know about that unless some hot heads on the sides had started.

Attorney Robb: Well, I would have been hot headed, too. No man would come in my house with a mask on.

Attorney Negley: Mr. Robb, there is nothing in this case about masks.

Attorney Robb: I would have treated them as burglars, and had they come to my house I would have shot them.

Justice Prosser: How would it have been on a Hallowe'en night?

Attorney Robb: Under the laws of Harrisburg they can be arrested for parading with the faces covered.

Attorney Negley: Well, go on.

Attorney Robb: I am trying to prove whether this young man incited a riot or whether, if the officers had adhered to the instructions given, the riot would have been averted. I'm through with Mr. Davis.

WILLIAM BOX, called as witness but was not present. He was sick in bed.

PROSECUTOR HARRY W. CONN, having been duly sworn, testified as follows:

Direct Examination by Attorney Negley

Q. Your name is Harry W. Conn?

A. Yes, sir.

Q. You are the prosecutor in this case?

A. Yes, sir.

Q. In what way do you make this prosecution?

A. On information received.

Q. You have no personal knowledge of the instance?

A. Yes, sir.

Q. What knowledge have you?

A. I have this much to say, that when the organization came to Carnegie there wasn't a man masked, all masks were off.

Q. When it came to Carnegie?

A. And after we hit Carnegie.

Q. There were no masks worn in the Borough of Carnegie?

Attorney Robb: I say that it is not so and I know they were masked, when they came down Lincoln Avenue, and they were masked—and you are lying—

A. I am not lying.

Attorney Robb: They were masked.

Justice Prosser: Mr. Robb, that's getting personal.

Attorney Negley: There was a serious trouble happened on August 25th, which resulted in the death of Mr. Abbott, and Mr. Conn, was there a riot, was there much shooting and throwing of bricks and other things?

A. Yes, sir.

Q. Were you in the line of parade?

A. Yes, sir.

Q. How close to Mr. Abbott were you?

A. At the time Mr. Abbott was shot I was back to that Doctor's office.

Q. Were bricks and stones thrown at you?

A. Yes, sir.

Q. How close were you when any shots were fired?

A. I was in the thickest of it.

Q. How close to you was any shot fired?

A. It was right on the opposite side of the street.
Q. But at the same point?
A. Yes.

Cross Examination by Attorney Robb

Q. What had John Conley to do with that?
A. Well, I saw men down there and somebody tore down the stars and stripes—I told you that I was only making this on information received.
Q. From whom did you receive the information?
A. From the witnesses.
Q. Who were they?
A. I won't say.
Q. I have a right to know. You can't testify unless you say from whom you received the information. From whom did you receive this information and come down here and charge John Conley with inciting a riot?
A. I came down here on my own.
Attorney Negley: Who all told you of this?
A. Friends of mine. Men—
Attorney Robb: Members of what?
A. I didn't say members.
Attorney Negley: Who all told you?
Justice Prosser: Mention names.
A. Mr. Proper and other men of Carnegie.
Attorney Robb: Mr. Proper was not there, was he?
A. I didn't say.
Q. You said other men of Carnegie, you meant other members—
A. I didn't mention members.
Q. You want all your statements taken with the same credence as that remark? You say you didn't mention members in your testimony and you want the rest of your testimony to be weighed on the same scale as that statement?
A. Well, I can tell you one man by the name of Stewart.
Q. Who was he?
A. Well, he was a member of the Klan.
Q. Anyone else?
Attorney Negley: You don't need to be afraid, tell him.
Q. Are you from Atlasburg?
A. No, I am from Burgettstown.
Q. There are some very good people living there—who else give you the information you had. My friend, Proper, might not have cause to give you any facts that would justify you in giving this testimony. Who else?
A. Well, if I saw him there would that be an occasion?
Q. Yes, if you saw him.
A. I saw that man at the head.
Q. Did you see him inciting a riot?
A. No, sir.
Q. What did you see him do?
A. I saw him there with the officers.
Q. Was he there with the officers and were they all attempting to do their duty?
A. I didn't hear a word said—
Q. Were they attempting to do their duty?
A. Well, he stopped us—
Q. Did you see any of these officers or men around here attempt to incite a riot?
A. Well, the procession was stopped and with that the flag was torn off.
Q. Did you see any officer inciting a riot—did you see John Conley tending to incite a riot?
Attorney Negley: Answer, that's a proper question.
A. I didn't see him raise a hand or anything, but when I got there the stars and stripes were torn off the machine, and I also saw Ike Irving coming up the hill with this man (indicating Conley).
John Conley: You're a dirty, darned liar.
Justice Prosser: Let's not have this deteriorate. I won't allow no man to use that language in this room.

Attorney Robb: Did you see John Conley do any one thing there that night that any other man would not have done?

A. I don't know.

Q. And when you say you were down to Dr. Jones' office you know you were about 116 feet from where Mr. Abbott fell?

A. I don't know what the distance was.

Q. Well, now you have given one man who is a member of the Klan but who is not of Carnegie. Did you know him very well?

A. I certainly do know him.

Q. Know him to be a thoroughly creditable man and one who you would be willing to stake your oath on?

A. Yes, sir.

Q. Now, who else did you know?

A. One's enough.

Q. Oh, no. Even the Bible says, "No man should be committed by the tongue of man."

Attorney Negley. Mr. Proper makes two. Proper and Stewart.

Attorney Robb: Who else do you know, Mr. Conn? Is that all you can say?

A. No, that's not all I can say.

Q. Who else can you say that was there and told you that he incited the riot?

A. I didn't say that he incited a riot.

Q. On the 24th, 25th or 23rd, or any other day in August, did you do or say any one thing tending to incite a riot?

A. No, sir.

Q. Did you do or say any one thing tending to incite a rout?

A. No, sir.

Q. Did you do everything in your power to prevent a riot, rout, or unlawful assembly?

A. Absolutely.

Q. Did you confer with the officers of the City of Pittsburgh, did you confer with the detectives of Allegheny County?

A. Yes, sir.

Q. And the Sheriff, did you confer with the Sheriff?

A. Yes, sir.

Q. And did you get deputies from the Sheriff?

A. Yes, sir.

Q. Did you get policemen from Pittsburgh?

A. About one hundred I would say, about thirty or forty originally, and about one hundred when the thing started, and I sent for county detectives, all that could be brought to Carnegie, as it is always the duty of a police officer to prevent a riot.

Q. Was that your object?

A. Absolutely.

Q. Mr. Conley, did you say to your officers, or some of them, that the feeling in Carnegie was tense by reason of ravings and preachings, and that it would be dangerous for these people to come down through Carnegie with the feeling among the Irish that now existed?

A. In answer to that question I will say that every reasonable man in Carnegie knew that the feeling was tense and it was not necessary for me to explain that matter to the police, they knew of this fact.

Q. And the feeling was tense?

A. I never saw such a tense feeling at any time before.

Q. Who told you that he incited a riot that would justify your holding your hand to Heaven and swearing that John Conley incited a riot?

Attorney Negley: The witness has been pretty patient, Mr. Robb, and he told us of two, Mr. Proper and Mr. Stewart.

Attorney Robb: I don't think so. He says Mr. Proper wasn't there and he said he got his information from Mr. Stewart.

Attorney Negley: That is sufficient.

Attorney Robb: Mr. Conn, who told you, in whom you had sufficient confidence, that John F. Conley incited a riot on the 25th of August, and convinced you to such an extent that you would take an oath which if it were not true, would be willful perjury?

A. I saw him—

Attorney Negley: Mr. Robb, he has already told you that Mr. Proper—

Attorney Robb: Who told you that John Conley incited that riot, did you see him do anything that—

Attorney Negley: Mr. Robb, I think you have gone far enough. I am going to advise this witness that he has given sufficient information by giving you the names of Wm. Proper and Mr. Stewart to justify our—

Q. And of the people who told you of it and had knowledge of it, you give me but the names of one, and you refuse to give me more?

A. I was told—

Q. You refuse to give me more?

Attorney Negley: He says he has given enough. I have advised him that that is sufficient under our law.

Attorney Robb: I'll see when we go down town together whether it is or not. That's all, Mr. Conn.

JOHN F. CONLEY, having been duly sworn, testified as follows:

Direct Examination by Attorney Robb

Q. Mr. Conley, you are Burgess of Carnegie, you are a lawyer, and you are the defendant in this heated discussion?

A. Yes, sir.

Q. And was it because of this knowledge that you took the steps that you did in procuring possibly one hundred city policemen, twenty or thirty deputy sheriffs, and eight or ten of the county detectives? How many detectives do you suppose you had?

A. In the beginning there were only two.

Q. And state whether or not a great many citizens were deputized to act as sheriffs that night?

A. I understood it that way.

Q. Now, Mr. Conley, not because you are a lawyer or because you know what is the law, but in the interest of decency and fair play, did you do one single thing prior to the time of that riot tending to incite a riot?

A. No, sir.

Q. Did you do everything in your power tending to prevent it?

A. Yes, sir.

Q. I believe you learned from the District Attorney that a Klansman had been in there attempting to get him to issue, over your order and over the order of the Justice of the Peace, a permit for the Klansmen to parade?

A. Yes, I learned that from the District Attorney's office, and that man was advised that the proper authority to see—

Q. Do you think any human agency would have prevented what happened at the Third Street bridge that evening?

Attorney Negley: Isn't that asking again for an expression of opinion?

Attorney Robb: You were up at the bridge, Mr. Conley?

A. Yes, sir.

Q. Did you do everything there to prevent trouble that you possibly could?

A. Yes.

Q, And what was your order to the Chief of Police? To hold them if possible?

A. Yes.

Q. Our friend, Mr. Conn, over here, said that Ike Irving was one of your companions, is that true?

A. That's a lie.

Q. Is it a lie?

A. Yes. A lie is a noun which describes an expression, and that expression is a lie.

Q. You had nothing whatever to do with Mr. Irving?

A. No.

Q. But he is appointed by the Court of Allegheny County as a peace officer of the Borough of Carnegie, is he not?

A. Yes.

Cross Examination by Attorney Negley

Q. Now, Mr. Conley, didn't you know that it was Mr. Irving's machine, along with another machine, that was blocking that parade on the bridge?

A. No, sir.

Q. Whose machines were they. Did they belong to the Police Department or the Fire Department?

A. No, sir.

Q. Well, didn't you know that it was a machine of Irving's and a Mr. Lincock that was blocking the parade?

A. No, sir, the parade was blocked possibly twenty-five minutes before I got there and I didn't notice whose machine was there, but I don't think it was Irving's.

Q. Didn't the Chief, Mr. Keisling, say to you that it was a man in a Ford from out of town who was very anxious to get out? Didn't the Chief ask you that?

Justice Prosser: Answer him.

Q. Didn't he point out a Ford machine—

Attorney Robb: Now, remember Mr. Negley, this blockade occurred twenty minutes, maybe more, before Conley got near the place.

Q. You did, though, see the machines blocked and said, "Now you have them stopped, keep them stopped"?

A. About the machines, I don't know as that's correct, but I did give that order, yes.

Q. What did you mean by, "Now you have them stopped, keep them stopped"?

A. What did I mean? Just exactly what the words imply.

Q. Was Dillon in charge of these sheriffs that night?

A. Yes, sir.

Q. And who were the others?

A. There was Mr. Goldstein and Eddie Mannison.

Q. Any others?

A. I don't know those fellows.

Q. You're sure that there were thirty?

A. No.

Q. How many were there?

A. I would say there would be about a dozen.

Q. And there were only three that you could name?

A. There were only the three that I know personally.

Q. How do you know there were a dozen if you can only name three?

A. I said there were about a dozen. I see these men down in Dillon's office and naturally you get to know them without knowing their names.

Q. Absolutely. And how many were in this group that you saw?

A. I would say roughly, about a dozen.

Q. And they were in charge of Dillon?

A. Dillon was the chief.

Q. Who sent the policemen out?

A. I was with Dillon and he called the Pittsburgh Police Department.

Q. When was this?

A. At the time the Klansmen were attempting to go through Carnegie.

Q. You mean on August 25th? At what hour?

A. Well, they tried to go through about 12 o'clock.

Q. And was that when you called for them, at 12 o'clock?

A. Yes, sir.

Q. And how long did it take them to get out here?

A. They came from Pittsburgh to Carnegie in about twenty minutes, on motorcycles.

Q. Then you didn't have any policemen here prior to 12 o'clock?

A. No, sir. No Pittsburgh policemen.

Q. What County detectives did you have?

A. McMillen and Geisler. Those two I am sure of.

Q. Do they live out here in this neighborhood?

A. Yes, sir.

Q. Now, Mr. Conley, isn't it a fact that when your friend, the District Attorney of Allegheny County, talked to you he advised you that there was no logical reason why they should not parade throught Carnegie if they did it in an orderly way?

A. No, sir.

Q. Did he tell you that they had come to him to ask his advice concerning this parade?

A. Yes, but I think I learned that after the parade was over.

Q. When did you learn of it?

A. I would say I learned it after the parade.

Q. When did you see the District Attorney—prior to the parade?

A. I don't know.

Q. Did you see him on August 23rd, 24th, 25th?

A. No, sir.

Q. Didn't you talk to him?

A. No, I didn't, but I might have talked to his assistants.

Q. Which assistants did you talk to?

A. I won't say for sure. I talked to Ralph Hunter, McLuther, and Mr. Litcher.

Q. You talked to them all after the parade, not before?

A. I can't say for sure.

Q. When you did talk to the District Attorney's office didn't they tell you that the men had sought their advice and had been advised that they were logically entitled to parade, provided they maintained good order?

A. They didn't, by God no, and I don't think they were so advised.

Q. Nobody told you that?

A. I don't recall being told so.

Q. No? But you did give your officers very specific instructions on August 24th, did you not?

A. Yes, we had a conference and talked the thing over.

Q. And did you give your orders that they were to stop this parade at any cost?

A. I don't recall "at any cost," but I did give an order that they should stop them.

Q. And told them to call out the Fire Department and turn the hose on?

A. No, no.

Q. What reference did you make to the use of the fire hose?

A. Well, I instructed the Chief of Police to go down to see the Chief of the Fire Department and just go over the situation and see what the advisability of using the fire truck would be to disperse any unlawful assembly that hight happen.

Q. Wasn't your instructions to see the Chief of the Fire Department and to have his hose ready at a certain point to use and turn on the marchers?

A. No, we talked the situation over and talked about the possible avenues where this parade might follow and where the police should be in order to prevent the entrance of this parade into the Borough of Carnegie.

Q. Now, Mr. Conley, if you had thirty deputy sheriffs and one hundred city policemen, or even half that many, and you had put them along the front of this parade, don't you know that it could have gone through the Borough of Carnegie without any disturbance?

A. I don't know, do you?

Q. As a public officer, in your judgment couldn't that number of police officers have taken care of that parade and saw it through your town safely?

A. I don't know.

Q. Wasn't this simply a matter of personal desire on your part? You objected and you wanted them stopped?

A. I think your questions are ridiculous. No.

Q. Did you at any time state to these officers of yours, in connection with your instructions, any dangers that you felt might cause trouble? Did you state to your officers at the time you were issuing them instructions why you wanted that parade stopped?

A. I don't know whether I did or not.

Direct Examination by Attorney Robb

Q. Mr. Conley, when you said to our Chief, Keisling, "They're stopped, now hold them," was that for the purpose of preventing any trouble?

A. Why, certainly.

Q. Did you feel at the time that if they didn't hold them there was no question about it that the riot would follow?

A. Yes, the only thing to do was to turn them back, because the feeling was so tense and there were thousands of people on the street, and there was bound to be trouble.

Q. And as a police regulator and in the exercising of sound judgment, you told your Chief to hold them at bay and hold them fast?

A. Yes.

Q. Now, did you at any time that night, or before that night, or when the riot was on, do any one thing tending to incite a riot, or tending to do anything that would incite a rout?

A. No, sir.

Q. That's all.

CLOSING CHARGES

ATTORNEY ROBB: Here is a case that I personally, as a citizen of Carnegie, feel a bit interested in because I have always considered it to be my duty, no difference where I am, in what capacity I stand, whether the position be a menial one or whether I be hired as the servant of one to help him, I am here purely as a friend of one who has taken upon himself a charge, and I say foolishly, which from the judiciary down to the policeman or down to any office, takes practically his life in his hand when he does it, and he is in a position that I have always conceived, whether I conceive it properly or not, that it is my duty to assist him. I assist the most humble man who is in the official capacity at any time he calls on me, and all those who are about know that is true. I help them and I think everyone should help the officers now in the discharge of their duty.

Mr. Proper here represents an order of which I know nothing. Nevertheless, I will help any man who is in a just position. Now I knew of this tenseness in Carnegie. I was away for three or four days at this time but I knew of the tenseness of this thing. I knew even in the Church that I am affiliated with that the feeling was strong against the Catholics. This town has as many Catholics as Protestants, maybe more, and they couldn't help but know of this feeling. And as John Conley said, "Don't let them come through, hold them at bay." I want to ask you, your Honor, where is there one thing that this boy did tending to incite a riot. The law is a systematic net work on this question of roit, rout, unlawful assembly, etc., and a man who says something—take me, for instance. Should I here say something and no one of us does one thing tending to carry out what I say, I am not guilty of inciting a riot, because someone of us must do some one thing that will cause a breach of the peace. But we are here together, and we are here, say, to give Proper there a beating, and we are guilty of an unlawful assembly; but to incite a riot that will make people riot, and will make them go out and riot, one of the people who hear you say it must go out and participate in that riot. And, according to this, John F. Conley should go acquitted.

Now, John Conley tells you that he knew, and everyone who is reasonable knew, that if the Klansmen came into Carnegie all the police officers and sheriffs couldn't keep down those Irish, not the Irish but the Lithuanians. All these foreigners banded together for the very purpose of seeing that these Klansmen did not enter the Borough of Carnegie clad in robes and hooded, and if there had been a policeman at every corner and at every stone they couldn't have prevented a riot at that bridge at that time. John Conley tells you, and the officers tell you, that his orders were to hold them stopped at the bridge, and when he went up there twenty minutes after the riot was on and said, "Chief, now you have them stopped, keep them stopped," your Honor, had his words been heeded there would have been no riot, but just as sure as God reigns and they started up Third Street with the tenseness as it was, the riot was on. The riot was on, but did John Conley do anything to incite that riot? No, he told the Chief to keep them at bay, to hold them where they were, and when he saw that the trouble was on he called for more assistance, and in all the time he was there he never did one thing to incite a riot.

Now, Mr. Negley, say we thought it would be a grand thing to do something to one person, say put this fellow out of business, impeach him, or something of that sort, and every single one says no, and no one in the audience says yes, am I inciting or stirring up any disturbance? No, sir. And if no one joined with Mr. Conley there is no inciting of riot, that's inciting something that's done by three or more persons. Why do I come to the rescue of this

young friend? I wanted to come here if I missed a dozen or more clients in town because I think, and I know, and Mr. Proper knows, John Conley is a decent young fellow. Now, I am going to say something else right here—had Christ Keisling here, a Protestant boy, or any Protestant boy, not Catholic, been Burgess of Carnegie, no information would have been made against him. Had I been the Burgess, had you been, had anyone of we Protestants been Burgess, no information would have been made against him in the Borough of Carnegie.

Now, why then should I take an interest? Because, I believe that the same heart that is within me, the same blood that is in me as a United Presbyterian, is in John Conley as a Catholic. Why, since this happened the feeling is so tense that you scarcely ever hear him called anything but a "dirty Mic." It is simply beyond me. A lot of people have brought themselves into prominence and they have brought upon the town of Carnegie her shame in her day of prosperity. I say it is a shame that Carnegie should have had a riot, and I do not deny the fact that there was a riot, but I do say that this boy Burgess of ours did not do one single thing tending to incite a riot. I do say that this Burgess did everything in his power to prevent a riot, and I say to you, Justice Prosser, that you weigh carefully this young man's fate, because you may do an injustice that may never be redeemed by you, or your wife, or by anybody in Carnegie.

Now, I apologize for having warmed up as I did in this case. I warmed up by it and for it simply because the young man over your votes and my votes became the Burgess of Carnegie. And now, your Honor, as he is in the throes of his anguish, I say, weigh the case carefully and render a decision that you deem just and that you will have no occasion to fear and think in the future—"What did I do to John Conley?"

ATTORNEY NEGLEY: Your Honor, as usual, Mr. Robb shows us the way of the orator and the speaker. I didn't come here with the least thought in my mind of making an address or a discussion of this case over and above the facts. I am sorry that friend Robb has brought this out as a religious question. We are not charging him because of his religion, we are charging the man here that we know was the head peace officer, because it was brought out to us that his language was not the language of a peace officer, but the language of a man who had a private feeling, who had a private motive, and I will say to Mr. Conley that he is a man beyond any question of character, but he has made a great mistake.

Now I hope to God the time will never come when I am prohibited to walk down that street because somebody says I dare not if I am on a lawful errand. If I have a lawful errand down that street I will not hesitate for any man. The great talk that Mr. Robb has given fails in that point. You would have thought there were a pack of bank burglars coming in. They were simply going to come through the streets and quietly parade, which is an almost God-given privilege. And if these men would have stopped because John Conley said, "Don't come across that bridge," they wouldn't have been men, they would have been yellow pups, but they went right ahead. It is up to Carnegie to allow me and any other man to go over their streets without being shot and without having bricks thrown at them. I have watched many parades, many Holy Name parades, and I'd like to see any man allow me to throw a brick. It doesn't do for you to be afraid, and this town has got to be taught that any one can come and they can go through your streets without being attacked. God knows, I am sorry it was John Conley. It is not him I am fighting but one of the greatest principles of the American government. And in view of all that has passed, and the fact that his orders were not logical orders, I am asking, your Honor, that you hold for trial.

* * *

JUSTICE PROSSER: There has been a great deal of talk, a great deal of feeling in the Borough of Carnegie and surrounding territory, but as the evidence has been brought out before me in this case I feel, as a committing magistrate of justice, that under the evidence given that I shall hold Mr. John Conley to answer the next session of court on the charge of inciting to riot. And set the bail at $500.

THE STRICKEN FAMILY

Mrs. Emma Abbott and her two children

GOD, GIVE US MEN!

God, give us men! The Invisible Empire demands strong
Minds, great hearts, true faith and ready hands,
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagogue and damn his treacherous flattering without winking!

Tall men, sun crowned, who live above the fog
In public duty and private thinking;
For while the rabble, with their thumb-worn creeds,
Their large professions and little deeds,
Mingle in selfish strife, Lo, freedom weeps,
Wrong rules the land, and waiting justice sleeps,
God, give us men!

Men who serve not for selfish booty,
But real men, courageous, who flinch not at duty;
Men of dependable character; men of sterling worth;
Then wrongs will be redressed, and right will rule the earth,
God, give us men!

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